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By  
EDWIN JAQUETT SELLERS

PHILADELPHIA  
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PRE88 OF  
**J. B. LIPPINCOTT COMPANY**  
**PHILADELPHIA**

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# Stretcher

I. 1. HENRY STRETCHER was born 1637, according to a deposition by him November 20, 1704, recorded in the Court Docket of Sussex County, in possession of the Pennsylvania Historical Society. In this deposition he deposes that "he is about 67 years old," also that he purchased a certain piece of land "27 years ago." The first reference to Henry Stretcher is a patent recorded at Georgetown, Sussex County, Delaware, as follows:

"Edmond Andross Esq., Seianeur of Sausmarez, Lieutenant & Governour Generall under his Royall Highness James, Duke of York and Albany, & of all his territories in America, to all to whom these Presents shall come sendeth Greeting:

Whereas, there is a certain tract of land called Martin's Vinyeard lying at the Whorekill on the west side of Delaware Bay, the metts by vertue of a warrant hath been laid out for Henry Stritchor (Stretcher); Beginning at a certain small creek lyeing by a place called Kickout, beginning at the point by the Whorekills running and bounding upon the said kill south east in breadth One hundred and fifty perches to a bounded white oak standing upon the point of a marsh, and from thence up the said marsh south west six hundred & forty perches to another bounded white oak standing by the said marsh and from thence north west bounding upon the woods to a bounded hickory or walnut tree standing by the aforesaid creek one hundred and fifty perches then the said creek to the point in the Whorekill north east six hundred and forty perches, containing and laid out for six hundred acres, as by the return of the survey brought in by

## STRETCHER

Captain Edmond Cantwell, the surveyor, doth & may appear. Now for a confirmation unto him the said Henry Stritchor in his possession and enjoyment of the premises; Know ye that by virtue of the commission and authority unto me given by his Royal Highness I have Ratified Confirmed & Granted and by these Presents do ratify confirm and grant unto the said Henry Stritchor, his heirs and Assigns the aforesaid parcel of land and premises. With all and singular the appurtenances to have and to hold the said parcel of land and premises unto the said Henry Stritchor his heirs and assigns unto the proper use and behoof of the said Henry Stritchor his heirs and assigns forever. He continueing in obedience and conforming himself according to the laws of the Government. And yielding and paying therefore yearly and evry year as a quitt rent unto his Royal Highness six bushels of good wintor wheat unto such person or persons there in authority as shall be empowered to receive the same.

Given under my hand and sealed with the seal of the Province in New York, the Twenty fifth day of March in the Twenty eighth year of his Majesty's reign, Anno Domini, One Thousand Six hundred and Seventy Six.

E. ANDROSS.

(Recorded by order of the Governor the day and year above written.)

Examined by me,  
MATTHIAS NICHOLLS, Sec."

"Know all men by these presents that we Henry Stretcher and Sarah Stretcher for a valuable consideration already received do by these presents alienate assign and make over all our right title and interest of this within mentioned patent from us our heir's executors administrators and assigns unto Capt. John Avery (see "Captain John Avery, President Judge at the Whorekill in Delaware Bay, and

his Descendants, by Edwin Jaquett Sellers, Philadelphia, 1898"), his heirs executors administrators and assigns forever.

In witness hereof, have hereunto set our hands this 11th.  
day of Feb. A.D. 1678.

Signed sealed and delivered in the presence } HENRY STRETCHER. [SEAL]  
of us SARAH STRETCHER. [SEAL]

Acknowledged in open Court Feb. 11<sup>th</sup> 1678.

Test. Com. Verhoof, Clk. Whorekills.

Recorded the 2<sup>nd</sup> of May, 1715. JOHN HEPBURN, Master  
of the Rolls for County of Sussex."

The "York Records" at Dover, Delaware, 1659-1679, folio 235, record the patent from Andros to Stretcher of 400 acres, called "Plain Dealing," situated in "Cemball's Neck joining Mill Creek." The date of the patent does not appear; it is probably the same as that referred to by Scharf in his "History of Delaware," page 1202, where he states that Henry Stretcher received 400 acres at the Whorekill in 1678.

The Court Docket of Sussex County, in possession of the Pennsylvania Historical Society, records a grant by the Court of 800 acres to Henry Stretcher, March 14, 1681, the warrant for which issued the 18th of said month.

The same docket records Henry Stretcher as a witness Nov. 14, 1682, to the official oaths of the Justices appointed by Penn for Sussex County. The same docket records:

"At a Court held 13 day, 12 mo., 1683—

The 10<sup>th</sup> day of the first month the ffreemen of this County being assembled together did chuse for their delegates or representatives to the Provincial Council—

**JOHN ROADES**      **SAMUEL GRAY**      }  
**HENRY BOWMAN**      **WILLIAM EMETT**      } for the  
**HERCULES SHEPARD**      **HENRY STRETCHER**      } Assembly."

"Pennsylvania Archives," Second Series, Volume XIX, page 667, contains a "List of Officers of the Colonies on

the Delaware and the Province of Pennsylvania, 1614–1776.” Henry Stretcher is mentioned as a Member of the Assembly from Sussex County, 1684–1687. For similar references, see “Colonial Records,” Vol. I, page 168; “Duke of York’s Laws,” pages 495, 507, 509; “The Proceedings and Votes of the Assembly,” published by Franklin and Hall, 1752.

The Court Docket of Sussex County mentions him as a juror in 1687, and as a grand juror May 3, 1687.

Scharf’s “History of Delaware,” page 1206: “Henry Stretcher contributes 20 logs for building the Court House and Prison for Sussex County, October 8, 1687.”

“After all this delay of more than six years the project was still not executed, as the record of March 10, 1688, bears testimony that Court was then ‘being at the house of Henry Stretcher, commonly called the Court House.’”

April, 1688, John Willington and Sarah Stretcher acknowledge the sale of “Stretcher’s Island.” It does not appear why Sarah instead of Henry Stretcher makes the acknowledgment.

The following conveyances are recorded at Georgetown, Delaware:

Liber A, folio 106: Henry Stretcher to Avery, 1679.

Liber A, folio 28: Henry Stretcher to Fisher, 1685.

Liber A, folio 48: Henry Stretcher to Fisher, 1686.

Liber A, folio 59: Henry Stretcher to Wynne, 1688.

Liber A, folio 71: Henry Stretcher to Jones, 1688.

Liber A, folio 121: Henry Stretcher to Wynne, 1688.

Liber A, folio 118: Henry Stretcher to Rodney, 1690.

Liber A, folio 128: Henry Stretcher to Rodney, 1690.

Liber A, folio 154: Henry Stretcher to Jacobs, 1693.

Liber A, folio 173: Henry Stretcher to Stanfield, 1695.

Liber A, folio 185: Henry Stretcher to Stanfield, 1695.

Liber A, folio 151: Henry Stretcher to Edward Stretcher, 1697.

Col. Rec., Vol. I, page 579:

At a meeting of the Council, April 12, 1700, Henry Stretcher was reported to have visited Capt. Kidd's sloop off Cape Henlopen, and to have made some purchases.

October 30, 1702, Henry Stretcher conveyed to Samuel Rowland 350 acres, within 2 miles of Lewes, known as the "Flat Lands." (Court Docket of Sussex Co.)

Court Docket of Sussex County:

At a Court held Aug. 3, 1703, "Henry Stretcher appeared in open Court and acknowledged according to law unto his son Edward Stretcher his Dwelling house and Corner front lot in the Town of Lewis in the said County of Sussex Containing 60 foot front for the breadth and two hundred foot back for length by deed of sale then and there delivered bearing date the 12<sup>th</sup> day of June Ano Dom<sup>i</sup> 1703."

Scharf, page 1258, states that "Stretcher's Hall," a tract of 500 acres, was originally granted to Henry Stretcher and sold by him to James Standfield and James Thomas. It was later known as the "Jersey Tract." It was situated on the South side of Cypres Branch of Prime Hook Creek, Broad Kiln Hundred.

The exact date of Henry Stretcher's death is unknown, although approximation suggests *circa* 1704.

Sarah, wife of Henry Stretcher, is mentioned in the will of John Roads, and in that of Henry Vines, Liber A, folio 9, dated Jan. 17, 168 $\frac{4}{5}$ , probated 3<sup>rd</sup> day, 10 mo., 1689, there is a bequest to "Edward Stretcher, the son of Henry Stretcher, the first colt that my old mare doth bring with all its future increase, but if the said Edward Stretcher should die before he is possessed with the said colt then the said colt and increase to be returned unto Sarah Stretcher and her heirs forever." Vines was Sheriff and a Member of the Assembly. As Henry Stretcher left no will it has not been ascertained whether his wife survived him. They appear to have had but one child :

2. Edward.

II. 2. EDWARD STRETCHER, son of Henry (1) and Sarah Stretcher, was born, probably, at Lewes, Sussex County, Delaware. The date of his birth can only be conjectured. The Court Docket of Sussex County, in possession of the Pa. His. Soc., records that at a Court held 1-4 March, 169 $\frac{1}{2}$ , Edward Stretcher obtained a grant of a lot at Lewes, formerly the Market Place.

At a Court held Feb. 7, 170 $\frac{2}{3}$ , Edward Stretcher was appointed Constable for the Town of Lewes. Dec. 15, 1703, a writ is referred to as addressed to "Constable Sheriff Edward Stretcher." (See Old Docket.)

In 1704, Thomas Fenwick, father-in-law of Edward Stretcher, conveyed a lot to him. (Liber H, fol. 309.)

He appears as a juror 1705, Feb. 4, 1706, 1707, and Feb. 7, 1709.

Nov. 1, 1709, he was appointed "Constable for Indian River District." (Court Docket.)

Nov. 3, 1709, John Hepburn and Edward Stretcher appeared in Court as Administrators of Thomas Fenwick, deceased. In the will of Fenwick, John Hepburn and Samuel Davis were appointed executors, but from the foregoing reference it would seem that Davis did not act and that Stretcher was substituted in right of his wife Margaret, daughter of Thomas Fenwick. (See Fenwick Family.)

Deeds. Georgetown. Liber D, No. 4, folio 211: Conveyance by Edward and Margaret Stretcher and Robert and Anne Clifton, in right of the said Margaret and Anne as heirs and daughters of Thomas Fenwick, deceased.

Edward and Margaret Stretcher seem to have had but one child:

3. Fenwick.

III. 3. FENWICK STRETCHER, son of Edward Stretcher and Margaret Fenwick, was born at Lewes, apparently, and

resided there until his death. He married Esther Kollock, daughter of Simon Kollock and Comfort Shephard, of Lewes, Sussex County, Delaware. (See "Genealogy of the Kollock Family of Sussex County, Delaware, 1657-1897, by Edwin Jaquett Sellers, Philadelphia, 1897.") His will, recorded at Georgetown, dated April 4, 1750, probated May 6, 1750, is as follows:

"In The Name of God Amen I, Fenwick Stretcher, of Lewis Town in the County of Sussex on Delaware being weak in body but of sound memory blessed be God, do this fourth day of April in the year of Our Lord One thousand Seven hundred and fifty make and publish this my last Will and Testament in manner and form following, that is to say; First I order all my just debts and funeral charges to be paid, Also I order my whole estate both real and personal (except my Negro man Caesar) to be sold by my Executors hereafter named. Also my will is that the money arising from the sale of my estate and all debts due to me that shall be hereafter received be put out on interest for the use of my three children, to wit; Mary Edward & Fenwick Shephard Stretcher to be equally divided between my said three children, each to have their share as they arrive to age, and in case either of my said children should die under age then his or her part to be equally divided between the survivors. Also I order that my negro Caesar be kept for the use of my children and each to have an equal part in him, and whereas my son Edward in right of his Des'd mother may claim Two Shares in a Tract or parcel of Land and Marsh Seituate on pothooks Creek my will is in case he do it, that as much as one equal part of said land and marsh amounts to, be deducted out of his share of the other part of my estate and given to my two other children, and I make and ordain David Hall and Shephard Kollock joint Executors of this my will for the purposes herein contained.

In witness whereof I, the said Fenwick Stretcher have to

this my last Will and testament, set my hand and seal the day and year above written.

Signed, sealed and delivered  
by the said Fenwick Stretcher  
as and for his last Will and  
Testament in the presence of  
us who were present at the  
signing and sealing thereof.

FENWICK STRETCHER. [SEAL]

COMFORT HOLLAND.

ROBERT GILL.

DEV'DT WOODBRIDGE."

Fenwick Stretcher and Esther his wife had issue:

4. Mary.
5. Edward.
6. Fenwick Shephard.

IV. 5. EDWARD STRETCHER, son of Fenwick Stretcher (3) and Esther Kollock, was born at Lewes, Sussex Co., Del., 1738 (Epitaph); married at St. Peter's Prot. Epis. Ch., Phila., Apr. 13, 1763, by the Rev. Mr. Sturgeon, to Elizabeth, daughter of Thomas Davis and his wife Sarah Draper (see Davis and Draper Families); the marriage license was dated the same day (Pa. Ar., 2<sup>nd</sup> Ser. Vol. II, page 77.) She was born 1743 (Epitaph).

Conveyances recorded at Philadelphia:

Liber R. L. L., folio 243: Sep. 1, 1763. John Fullerton, of Phila., to Edward Stretcher, of the Dist. of Southwark, Phila.

Liber D, 31, folio 298: April 9, 1770. Pancoast Est. to same.

Liber D, 31, folio 294: Oct. 5, 1773. Reuben Haines et al. to same.

Register of Wills' Office, Phila., Admn. Book H, p. 177, No. 146 of 1794: Letters of Administration, C. T. A., were granted to Thomas and Fenwick Stretcher May 24, 1794, on the estate of Edward Stretcher, deceased. His will is

unrecorded but is on file. It is dated Jan. 20, 1789, and gives Philadelphia as the residence of decedent. His wife's name therein is Elizabeth, and he refers to his children, Thomas, Fenwick, Mary, and Esther married to one Evans.

To Thomas he bequeaths "lot of ground in Lewis Town, in the State of Delaware, adjoining David Hall's lot and extending back to Samuel Paynter's lot as left to me by my Mother Esther Stretcher who held it under the will of her Father Simon Kollock."

The following is the epitaph of Edward Stretcher and his wife Elizabeth; also two of their grandchildren, hereafter referred to:\*

Lot L.

"HERE ARE DEPOSITED  
THE REMAINS OF  
EDWARD STRETCHER,  
WHO DEPARTED THIS LIFE,  
APRIL 10TH, 1794,  
AGED 56 YEARS.  
ALSO HIS WIFE  
ELIZABETH,  
WHO DIED MAY 12TH, 1794,  
AGED 51 YEARS.  
ALSO,  
CAROLINE AND WM W.,  
CHILDREN  
OF FINNIX AND ELIZA STRETCHER,  
AND GRANDCHILDREN OF THE  
AFORESAID EDW'D AND ELIZABETH.  
CAROLINE DIED JULY 24TH, 1798,  
AGED 13 MONTHS.  
WM W. AUG. 19TH, 1800,  
AGED 10 MO. AND 8 DAYS."

\* "Inscriptions in St. Peter's Church Yard," by Charles R. Hildesburn. P. 360.

Edward Stretcher and Elizabeth his wife had issue:

7. Sarah, bur. July 10, 1764. (St. Peter's Records.)
8. Esther, b. Aug. 1, 1765; bap. Nov. 6, 1765; m. May 19, 1785, Rees Evans. (St. Peter's Rec.)
9. Thomas.
10. Fenwick (usually called Finnix).
11. Mary, m. Dec. 8, 1796, Shephard Kollock. (See "Kollock Family" and Christ Ch. Rec., Phila.)
12. Edward, b. May 10, 1774; bap. June 21, 1774. (St. Peter's Rec.)

V. 9. THOMAS STRETCHER, son of Edward Stretcher (5) and Elizabeth Davis, m. Ann Jane, dau. of John Warner and Lydia Woodrow; she was b. Mar. 15, 1782; she m. secondly, Ebenezer Connard. Thomas Stretcher d. 1819. The administration of his estate is recorded at Phila., in Liber M, fol. 175. He is styled of Mooretown, Montgomery Co., Pa. Letters were granted Sep. 8, 1819, to Ann Stretcher, who in the account filed is mentioned as Ann J. Connard, wife of Ebenezer Connard. There is a credit for expenses at St. Peter's from which it is inferred that the burial service was held there; there is no record, however, of his burial there.

Conveyances recorded at Philadelphia:

Liber E. F. 18, folio 252. Dec. 5, 1804. Thomas Stretcher, of Philadelphia, to Richard Waln, of Burlington, N.J. Premises on Walnut Street East of Ninth, purchased of Samuel Williams in 1802.

Liber E. F. 18, folio 456. Dec. 1, 1806. Thomas Stretcher and Ann his wife to Samuel Claphamson. Premises on Chestnut Street east of Tenth, purchased of William Samson 1805.

Same Liber, folio 276. Jan. 11, 1809. The same to Ann Williams. Premises on Union Street between Third and Fourth Street, purchased of Shephard Kollock 1790.

Liber G. W. R. 10, folio 234. June 1, 1813. The same to Finnix Stretcher. Premises purchased of Edward Burd.

Liber D. 62, folio 192. Nov. 3, 1796. Shephard Kollock, of Phila., to Thomas Stretcher. Premises on Union Street between 3<sup>rd</sup> & 4<sup>th</sup>, purchased of the Pancoast Estate in 1779 by Edward Stretcher, father of Thomas, Finnix and Mary Stretcher, and which the said Edward devised by will dated Jan. 20, 1789, to his said children, describing Finnix as "*alias Fenwick*," subject to a legacy to his daughter Esther Evans, and which the said children conveyed to the said Shephard Kollock.

Liber E. F. 12, folio 175. Dec. 15, 1802. Samuel Williams to Thomas Stretcher.

Liber E. F. 22, folio 196. Oct. 21, 1805. William Sampson to same.

Liber E. F. 32, folio 5. Dec. 24, 1807. Isaac W. Morris to same.

Liber I. C. 16, folio 498. Dec. 24, 1807. Same to same.

Liber G. W. R. 9, folio 254. Dec. 15, 1802. Samuel Williams to same.

Liber G. W. R. 10, folio 232. June 1, 1812. Edward Burd to same.

Liber A. M. 45, folio 112. June 1, 1812. Same to same.

Thomas Stretcher and Ann, his wife, had issue, *inter alios*:

13. Joseph Innes, m. Elmira Fitler. For descendants, see "Genealogy of Dr. Francis Joseph Pfeiffer, of Philadelphia, Pennsylvania, and his descendants; by Edwin Jaquett Sellers. 1899."

V. 10. FENWICK STRETCHER, usually called Finnix, son of Edward Stretcher (5) and Elizabeth Davis, b. at Phila., Pa., 1771; m. by the Rt. Rev. William White, D.D., Bishop of Pennsylvania, July 31, 1794, at St. Peter's Prot. Epis. Ch., Phila., to Elizabeth, daughter of Peter Jaudon and Ann McCue, granddaughter of Capt. Anthony Wayne. (See "Account of the Jaudon Family," by the writer, Phila., 1890; also Wayne Family, partly contributed by the writer,

contained in "Some Colonial Mansions and those who lived in them," by Thomas Allen Glenn, published by Henry T. Coates & Co., of Phila., 1900.) Elizabeth Jaudon was born 1763; d. Jan. 4, 1850; buried Jan. 7, 1850, in her husband's vault at St. Peter's. He died Jan. 30, 1847 (Record in Family Bible), and was buried in same place, Feb. 1, 1847. There are portraits of both in possession of their granddaughter, Mrs. David W. Sellers, of Phila. His will, dated Jan. 8, 1847, probated Feb. 12, 1847, is on file in Phila. and recorded in Liber No. 19, folio 546, as follows:

"Be it remembered that I, Finnix Stretcher, of the City of Philadelphia, being in health of mind and body but considering the uncertainty of life, do make and declare this my last will and Testament in manner following.

*First.* I do will and direct that all my just debts and funeral expenses be paid as soon as conveniently may be after my decease by my Executrix hereinafter named.

*Item.* I give and bequeath unto my beloved wife Elizabeth all my personal Estate of what nature and kind soever the same may be to receive, take and enjoy the same absolutely for her own use forever.

*Item.* I also give devise and bequeath unto my said wife Elizabeth all my Real Estate wherever situated to hold the same for and during the term of her natural life, and on her decease, I give and devise the same to my daughter Elizabeth, now the wife of Joseph Jaquett, for and during all the term of her natural life so that the same shall not be in any way liable for the debts or engagements nor subject to the control of her present or any future husband she may have and on her decease I give and devise the same and every part thereof in fee to the children and issue of the said Elizabeth Jaquett that may be living at the time of her decease and the issue of such children as may be then deceased their heirs and assigns forever in equal shares, as tenants in common, so always however that such issue of deceased children, if any shall take equally

among them such parts and shares only which his her or their deceased parent or parents would have taken if living.

*Lastly, I do hereby nominate and appoint my beloved wife Elizabeth Executrix of this my last will and Testament, giving and conferring upon the said Elizabeth the power and authority to sell and dispose of the whole or any part of my real Estate in fee simple upon such terms and for such price or prices as she in her discretion shall deem best and to grant and convey the same to any person or persons, in fee simple, freed and discharge from any trust or limitation whatever and without any liability whatever on the part of such purchaser or purchasers to see to the application of the purchase money. And it is my desire and request that should my said wife make sale or sales of part or all of my real estate under the authority hereby given to her that then she shall invest the proceeds derived therefrom in other real estate or in real securities to be held by her for the purpose mentioned and declared in this my will as regards the whole of my said real estate.*

In witness whereof I have hereunto set my hand and seal this the Eighth day of January Anno Domini One Thousand Eight Hundred and Forty Seven.

Signed, Sealed, Published, and  
declared by the above named  
Finnix Stretcher, as and for his  
last will and testament in the  
presence of us who at his  
request have subscribed our  
names as witnesses thereto.

JOHN W. ASHMEAD.

JOHN BRODHEAD."

} FINNIX STRETCHER. [SEAL]

Conveyances recorded at Philadelphia:

Liber D, 62, folio 601. Dec. 2, 1796. Finnix Stretcher and Elizabeth his wife to Michael Bernard Dartis. Conveyance of premises on Cypress Street between Third and Fourth, being part of a lot conveyed by Hannah Pancoast,

widow and admx. of Joshua Pancoast, Apr. 5, 1770, unto Edward Stretcher, father of Thomas, Finnix *alias* Fenwick and Mary Stretcher, and which is recorded in Book No. 31, page 298, which the said Edward Stretcher by will dated Jan. 20, 1789, devised to his widow Elizabeth, since deceased, for life and after her death to his children aforesaid, subject to the payment of a legacy to his daughter Esther Evans, which was paid and satisfied. Nov. 2, 1796, the said Thomas, Finnix and Mary Stretcher conveyed the same to Shephard Kollock, who, Nov. 3, 1796, conveyed the same to Finnix Stretcher, the grantor above.

Liber E. F. 24, folio 662. Jan. 16, 1805. Finnix Stretcher and Elizabeth his wife to Joseph Jourdan. Premises Fifth Street below Pine, which had been purchased by the grantor of James McCrea, 1804.

Liber E. F. 30, folio 368. Oct. 14, 1807. The same to Joseph P. Musgrave. Premises on Sixth Street below Spruce, purchased by the grantor from Joseph Reed, 1806.

Liber I. C., folio 331. Feb. 18, 1814. The same to Francis Bundy, et al. Purchased by the grantor from Edward Burd, 1813.

Liber M. R. 18, folio 349. Apr. 30, 1818. The same to Charles Fury. Premises on Eleventh Street above Spruce, purchased of Edward Burd, 1813.

Liber D. 60, folio 49. Dec. 13, 1796. Samuel Emblem Jr. & wife to Finnix Stretcher.

Liber D. 61, folio 184. Nov. 3, 1796. Shephard Kollock to Finnix Stretcher.

Liber E. F. 9, folio 174. Apr. 11, 1801. Ann Bartram to Finnix Stretcher.

Liber E. F. 22, folio 204. Mar. 25, 1805. Edward Burd & wife to Finnix Stretcher.

Liber E. F. 24, folio 323. Nov. 29, 1806. Joseph Reed to Finnix Stretcher.

Liber E. F. 28, folio 470. June 16, 1804. Samuel McCrea to Finnix Stretcher.

Liber E. F. 30, folio 240. Apr. 11, 1801. Ann Bartram to Finnix Stretcher.

Same book, folio 366. Nov. 29, 1806. Joseph Reed to Finnix Stretcher.

Liber I. C. 4, folio 534. Jan. 6, 1810. William Vicary to Finnix Stretcher.

Liber I. C. 28, folio 333. Apr. 9, 1813. Edward Burd to Finnix Stretcher.

Liber M. R. 19, folio 208. Mar. 23, 1813. Edward Burd & wife to same.

Liber G. W. R. 1, folio 130. Dec. 17, 1817. Thomas Pritchett to same.

Same book, folio 132. June 1, 1812. Edward Burd et ux. to same.

Same book, folio 135. June 11, 1812. Same to same.

Liber G. W. R. 2, folio 227. Dec. 18, 1817. Thomas Pritchett & wife to same.

Same book, folio 229. Nov. 27, 1818. Same to same.

Liber G. W. R. 10, folio 234. June 1, 1813. Thomas Stretcher and Ann his wife to same.

Liber G. W. R. 12, folio 161. Nov. 27, 1818. Thomas Pritchett to same.

Same book, folio 248. June 1, 1812. Edward Burd to same.

Liber A. M. 45, folio 109. June 11, 1812. Same to same.

Same book, folio 119. Apr. 9, 1813. Same to same.

Liber G. S. 35, folio 477. Dec. 17, 1817. Thos. Pritchett to same.

Same book, folio 479. Dec. 18, 1817. Same to same.

Fenwick or Finnix Stretcher and his wife Elizabeth had issue:

14. Caroline, b. June, 1797; d. July 24, 1798; buried at St. Peter's. (See Epitaph of Edward Stretcher (5).)
15. William W., b. Oct. 9, 1799; d. Aug. 19, 1800; bur. at St. Peter's. (*Ibid.*)

16. Matilda, b. 1801; bap. May 24, 1805 (St. Peter's Records); bur. Aug. 12, 1827, at St. Peter's in her father's vault. She was a graduate of her Uncle Daniel Jaudon's school. (Diploma in possession of the writer.)
17. Elizabeth.
18. Anna Maria Jaudon, b. 1808; d. July 13, 1836; bur. in her father's vault at St. Peter's. She also was a graduate of Daniel Jaudon's school. (Her diploma is in possession of the writer.)

VI. 17. ELIZABETH STRETCHER, daughter of Fenwick or Finnix Stretcher (10) and Elizabeth Jaudon, b. at Phila., Dec. 27, 1801; bap. at St. Peter's Epis. Ch., Phila., May 24, 1805; m. by the Rt. Rev. William White, D.D., at St. Peter's Prot. Epis. Ch., Phila., Dec. 3, 1829, to Rev. Joseph Jaquett; d. May 25, 1882; bur. in Stretcher Vault, St. Peter's. She was a graduate of Daniel Jaudon's school. Rev. Joseph Jaquett, son of Thomas Jaquett and Mary Pfeiffer (see "Genealogy of the Jaquett Family by Edwin Jaquett Sellers, Philadelphia, 1896," for a full account of Rev. Joseph Jaquett and his ancestry; also "Genealogy of Dr. Francis Joseph Pfeiffer, of Philadelphia, Pennsylvania, and his Descendants, by Edwin Jaquett Sellers, Philadelphia, 1899"), b. at Phila., Mar. 11, 1794; bap. May 14, 1794, at the Second Presbyterian Church, Phila.; d. May 24, 1869; bur. in Stretcher Vault, St. Peter's, May 26, 1869; ordained a Deacon of the Protestant Episcopal Church by Bishop White, Nov. 16, 1821, and a Presbyter, Dec. 22, 1822. (Certificates of each are in possession of the writer. A portrait of Elizabeth Stretcher Jaquett (17) is in possession of her daughter, Mrs. David W. Sellers, of Phila., and two of Rev. Joseph Jaquett and a miniature are in possession of the writer.) He was Rector of St. James the Greater, Bristol, Pa., and subsequently of St. Matthew's, Francisville, Phila. In connection with the late Isaac Leeser, V. D. M., Synagogue Mikva Israel,

Phila., he edited the first American edition of the Hebrew Bible. In the "Pfeiffer Genealogy" is given a large list of conveyances by Rev. Joseph Jaquett and his wife, inherited from his grandfather, Dr. Francis Joseph Pfeiffer.

Recorded at Philadelphia:

Liber A. D. B., No. 18, folio 314. May 24, 1858. Rev. Joseph Jaquett, of Philadelphia, and Elizabeth his wife, of the first part, Anna Frances Jaquett, of the same place, single-woman, and Finnix Jaquett, of same place, physician, of the second part, and David W. Sellers, of same place, Attorney at Law, of the third part.

Whereas Wm. Vicary and Mary his wife conveyed to Finnix Stretcher of Phila., by Deed dated Jan. 6, 1810, Recorded in Deed Book D, No. 4, f. 534, premises East side of Seventh Street below Spruce.

And Whereas Finnix Stretcher by his will, dated Jan. 8, 1847, recorded in Book No. 19, f. 46, devised the same to his wife Elizabeth, etc., and after her decease to her daughter Elizabeth, wife of Joseph Jaquett, etc., and after her decease to her children, etc., and whereas the said Elizabeth Stretcher the widow of the testator died and the said Elizabeth Jaquett her daughter had issue only two children, to wit, the said Anna Frances Jaquett and Finnix Jaquett, parties of the second part hereto, both of whom are of full age, etc. Conveyance to David W. Sellers.

Liber L. R. B., No. 196, folio 56. July 1, 1866. Rev. Joseph Jaquett and Elizabeth his wife, of the first part, David W. Sellers, Counsellor at Law, and Anna Frances his wife, of the second part, and Finnix S. Jaquett, Doctor of Medicine, of the third part.

Whereas Edward Burd and Elizabeth his wife, by deed dated Mar. 25, 1805, recorded in Deed Book E. F. No. 22, f. 204, conveyed to Finnix Stretcher in fee certain premises, and

Whereas the said Finnix Stretcher by will dated Jan. 8, 1847, recorded in Book 19, f. 46, bequeathed to his wife Elizabeth for life, etc., after her death to his daughter Eliz-

abeth, wife of Joseph Jaquett, for her life and after her death to her children, and

Whereas the said Elizabeth Stretcher, widow of the testator, died and her daughter Elizabeth Jaquett had issue only two children, the said Anna Frances Jaquett, parties of the second part, and Finnix S. Jaquett, party of the third part hereto, both of full age. Conveyance to party of the third part.

Rev. Joseph Jaquett and Elizabeth his wife had issue :

19. Finnix Stretcher, M.D., b. Sept. 12, 1831; member of the Class of '49, University of Pennsylvania; graduate of the Medical College of Pennsylvania, Mar. 4, 1854; Surgeon in the Sixty-fifth Pennsylvania Regiment, Fifth Cavalry,\* being mustered into service Dec. 22, 1861; resigned Feb. 24, 1862; d. Dec. 11, 1870; bur. Dec. 13, 1870, in Stretcher Vault, St. Peter's, Phila. An oil portrait of him is in possession of his sister, Mrs. David W. Sellers, of Phila.
20. Anna Frances.
21. Joseph Pfeiffer, b. 1841; bap. at St. Peter's, July 9, 1841; d. Nov. 24, 1852; bur. in Stretcher Vault, St. Peter's, Phila. An oil portrait is in possession of Mrs. David W. Sellers, of Phila.

VII. 20. ANNA FRANCES JAQUETT, dau. of Rev. Joseph Jaquett and Elizabeth Stretcher (17), b. at Phila., Jan. 23, 1838; m. by the Rev. William H. Odenheimer, D.D., afterwards Bishop of Pennsylvania, at St. Peter's Prot. Epis. Ch., Phila., July 22, 1858, to David Wampole, son of Samuel Sellers and Barbara Ann Wampole. He was born at Phila., May 11, 1833; registered as a Student at Law under the preceptorship of the late Hon. John Cadwalader, and was admitted to the Philadelphia Bar, May 11, 1854.

\* Hist. of Pa. Vol., Bates, vol. ii, p. 577.

David Wampole Sellers and his wife Anna Frances had issue:

22. Anna Frances, b. at Phila., Aug. 16, 1859; m. at the residence of her father, Edward Page Vogels, Apr. 21, 1892. He was b. Apr. 2, 1855.  
Issue:
  30. Eleanor Stockton, b. at Atlantic City, N. J., Sep. 19, 1896.
  31. David Sellers, b. at Atlantic City, N. J., June 20, 1900.
23. Elizabeth Louisa, b. at Phila., Mar. 21, 1861.
24. Mary (usually called Minnie), b. at Phila., Dec. 31, 1862; m. George Howard Stirling, at St. Peter's, Phila., June 3, 1895. He was b. Apr. 25, 1860. They reside at Garrison Station, Green Spring Valley, Balt. Co., Md. Issue:
  32. David Sellers, b. at Green Spring Valley, Balt. Co., Md., Aug. 16, 1896.
  33. Philip Sellers, b. at same place, June 1, 1898.
  34. Francis Elder, b. at same place, Jan. 21, 1901.
25. Florence, b. at Phila., Apr. 22, 1864; m. Marcellus Coxe, son of Ferdinand Coxe and Frances Cochran, of Philadelphia, June 2, 1885, at St. Peter's Phila. He was b. Nov. 7, 1857.  
Issue:
  35. Francis Travis, b. at Phila., Mar. 13, 1889.
26. Edwin Jaquett, b. at Phila., July 25, 1865; graduate of the University of Pennsylvania, June 10, 1886, with degree of A.B.; registered as a Student at Law under the preceptorship of his father, and was graduated at the Department of Law of the University of Pennsylvania, June 9, 1889, receiving degrees of LL.B. and

## STRETCHER

A.M.; admitted to the Philadelphia Bar June 15, 1889; m. at St. Peter's, Phila., by J. Lewis Parks, D.D., June 6, 1894, to Blanche Bingham, daughter of Michael Ehret and Ellen Cathcart, of Phila. She was b. at Phila., Oct. 15, 1871. Issue:

36. Ellen Jaquett, b. at Phila., Mar. 6, 1895; bap. at St. Peter's, Dec. 1, 1895.
27. Charles Jaquett, b. at Phila., Mar. 21, 1867; d. Feb. 9, 1868; bur. in Stretcher Vault, St. Peter's, Phila.
28. Sydney Jaquett, b. at Phila., Nov. 29, 1868; d. at Atlantic City, N. J., Aug. 21, 1887; bur. in Stretcher Vault, St. Peter's, Phila.
29. Agnes, b. at Phila., July 21, 1873.

# Fenwick

I. 1. THOMAS FENWICK, according to tradition, was a Scotchman, which seems corroborated by his having usually spelled his name "Finwick," the early Scotch orthography, and having named two of the grants received by him in Somerset County, Maryland, "Scottish Plot" and "Dumfries." The arms of the Fenwick family of Scotland are recorded in Bury's "Encyclopædia et Heraldica" as *gu. a phœnix arg. in flames ppr.* The following armorials are deposited at the Lyon Office, Edinburgh:

Workman's MSS. 1567, folio 87:  
"Fynwyk—*A phœnix arg. in flames or.*" (The omission of the color of the field is supplied by next reference.)

Pont's MSS. 1624:

"Fenwick, of that Ilk. *Gu. a phœnix arg. in flames or.*"

Sir Patrick Home's MSS. 1723:

"Finwick. *Gu. a phœnix arg. burning in a nest ppr.*"

J. Hooke Campbell's MSS. 1793. Gentleman's MSS.:

"Fenwick, of that Ilk. *Phœnix arg. in flames or.*"

(This appears to be a copy of the Workman armorial, as it contains the same omission of the color of the field.)

Thomas Fenwick was born *circa* 1630–40. The first reference to him in America is in "Southern Quakers and Slavery, by Stephen B. Weeks, Ph.D. Baltimore, 1896." Page 23, note:



"Mr. John W. H. Porter, of Portsmouth, Va., has recently extracted his (John Porter, Sr.) history from the records of Norfolk County. John Porter, Sr., is first mentioned in the County records, Dec. 16, 1647, when an order was entered allowing him 100 pounds of tobacco for killing a wolf, and on the 16th. of March, 1648, a similar order was entered. Jan. 17, 1652, he was granted a certificate for 200 acres of land for having brought four persons into the colony. March 29, 1655, he was appointed a justice of the County Court; August 15, 1653, he was married to Miss Mary Savill. Jan. 13, 1661, was granted 300 acres of land under patent from the Governor; Sep. 12, 1663, was expelled from the House of Burgesses; Nov. 17, 1663, was fined 200 pounds of tobacco for attending a Quaker Meeting, 50 pounds of tobacco for not attending public worship, and 350 pounds of tobacco for setting out tobacco plants on Sunday, and must, therefore, have been a planter. Aug. 16, 1671, was appointed Road Surveyor for the Eastern Branch Section of Norfolk County. April 17, 1672, was appointed one of the Justices of the Quorum of the County and served until his death. Aug. 17, 1675, was the last day he presided at Court. Feb. 15, 1675 (76), his will was recorded; it was entirely in his own hand writing. He left nearly all his property to his widow and her heirs forever, and appointed her executrix; he gave his best suit of clothes to 'my brother, John Porter, Jr.' He gave also certain cattle to be divided among the children of this John Porter, Jr., upon their arriving at the age of twenty one years, but his will makes no mention of any children of his own. His widow married George Lawson in April, 1676; he died that fall; in the spring of 1677 she married Thomas Fenwick and died in 1678. She gave her property to Fenwick for his life, and at his death it was to go to John Porter, Jr. This is another reason for thinking she had no children of her own. On the contrary, the will of Richard Russell, who died Jan. 24, 1667, appointed John Porter, Sr., his executor

and leaves a lot of books to the oldest son of the said John Porter, Sr.; if he had a son at that date he must have died before his father. At the time of his death Porter was a Commissioner of the Association of Nansemond River Fort, a position which would be inconsistent with the character of a Quaker (see Hening, II, 255-8). It is probable that he sympathized with but was not actually a member of the Society. See also Mr. Porter's article on 'Norfolk Quakers,' in *Richmond Dispatch*, Dec. 3, 1893."

There are further references concerning the Porters, but all that relates to Thomas Fenwick and Mary Savill has been quoted.

#### Records of Norfolk County, Virginia:

Deeds. Liber 4, folio 7. Will of John Porter, Sr., dated Sep. 16, 1672; probated Feb. 15, 1675. He bequeaths all his property, real and personal, except a few unimportant presents, to his wife Mary and appoints her executrix.

Ibid., folio 34. Will of George Lawson, dated Oct. 6, 1676; probated Aug. 15, 1678. He bequeaths to his wife Mary, formerly the widow of John Porter, Sr., all his property, real and personal, for her life, and at her death one half to her heirs and the other half to children of Anthony Lawson.

Extracts from proceedings of the Court of Norfolk County, 1675 to 1686, pages of which are unnumbered :

Feb. 16, 1677. "In the difference between Thomas Fenwick, who married the relict of Mr. Geo. Lawson, dec'd., and executrix of Mr. John Porter, Sr., also deceased, plaintiff, and Dr. Smith, defendant, it is ordered the suit be dismissed for that the action was commenced in his wife's name before marriage with the said Fenwick."

March 7, 1677. "Upon the request of Mr. Thos. Fenwick, in writing, he being sick and not able to attend court, an order was entered continuing until the next term, all suits in which he was interested, either as plaintiff or defendant."

April 16, 1678. "In the difference depending between Thomas Fenwick, who married the relict of Mr. Geo. Lawson and executrix of Mr. John Porter, Sr., deceased, plaintiff, and Peter Smith, defendant, it is ordered that the suit be dismissed."

Oct. 16, 1678. "The appraisers formerly appointed to appraise the estate of Mr. Geo. Lawson, deceased, were ordered to meet at the house of Mr. Thos. Fenwick the following Monday to finish the appraisement and to take an account of the cattle belonging to the said estate."

Oct. 16, 1678. "Whereas, by the last will and testament of Mr. Geo. Lawson, deceased, it appears that he gave his whole estate to his wife during her natural life, and one half of his said estate, personal and real, to Capt. Anthony Lawson's children, upon her death, for performance whereof the Court did require security of Mr. Thos. Fenwick, who married the said Geo. Lawson's relict, which he could not give, and, by reason of the disturbance between the said Fenwick and his wife, the said estate is in a perishing condition, it is ordered, by consent of the said Fenwick, that Capt. Anthony Lawson take the one half of the said estate into his custody and give security for to deliver the profits thereof to the said Fenwick's wife during her life and after that he deliver the said half to his children, the said Fenwick having promised in open Court, to allow her, his said wife, one third part of the other half for and towards her maintenance, after the said Geo. Lawson's debts are paid."

This reference suggests a difficulty between Thomas Fenwick and his wife, which, however, seems to have been subsequently adjusted.

Deeds. Liber 4, folio 68. Mary Fenwick's will. Probated Aug. 16, 1679 :

"Anno Domini 167<sup>8</sup> January the 28<sup>th</sup>. In the name of God Amen. This the last will and testament of Mary Fenwick, being weak in body yet perfect in memory and,

first I bequeath my soul unto God and my body to the dust from whence it came, and my worldly estate as follows: I give to my husband Thomas Fenwick, the fee simple of my lands during his natural life and after the death of my said husband to John Porter Jr. and his heirs forever and my will is that my said husband shall have the use of the timber that is upon the land and that without molestation during his natural life.

MARY FENWICK. [SEAL]

Witness: JAMES PORTER

his  
WILLIAM X BROWNE  
mark

The above will was proved by the oaths of Mr. James Porter and Wm. Browne, witnesses, the 16<sup>th</sup> of August last and now recorded.

Teste, WM PORTEN C. C."

Referring again to the Court's proceedings:

March 17, 167<sup>§</sup>. Malachi Thruston vs. Thos. Fenwick. Continued until the next term.

March 17, 167<sup>§</sup>. Eliza Copeland, who contracted to work for Thos. Fenwick for one year as a servant, was ordered to carry out her contract with him.

March 17, 167<sup>§</sup>. Thos. Fenwick vs. Alexander Keeling. Fenwick failed to prosecute his suit and was nonsuited.

May 21, 1679. Malachi Thruston vs. Thos. Fenwick. Judgment for Pltff for 365 lbs. tobacco.

Sept. 5, 1679. Thos. Fenwick vs. Natheal. Brangwing. Judgment for plaintiff for 400 lbs. tobacco.

Nov. 14, 1679. A probate of the last will and testament of Mrs. Mary Fenwick, deceased, is granted to Thomas Fenwick, her husband.

October 18, 1680. Upon the petition of Thos. Fenwick, a commission of administration on the estate of Susan Cane, deceased [elsewhere spelled Susanna Keane], is granted him for that she, by a nuncupative will, proved in

Court, did give her estate to the said Fenwick. [This will is recorded in Deed Liber IV, folio 87.]

June 15, 1681. Thomas Fenwick appears as a juror.

Land Office, Richmond, Va. Liber VII, folio 114:

"To all &c whereas &c now knowe yee that I the said Sr. Henry Chickley Kt. his Ma'ties Deputye Governor &c give and grant unto Thomas Fenwick three thousand acres of land in the County of Lower Norfolk in the woods adjoining on the western side of the Runn of Ashn Swamp, which lyeth near the path which ledth from the eastern branch of Elizabeth River unto the North River and bounded as followeth, beginning att the North Eastern corner tree of 300 acres of land which is pte of a pattent of 350 acres granted to John Poter Senr Dated 16th March 1663 and from thence running So by East 320 poles then W. b. So. 176 poles then So. b East unto the marked trees of land surveyed for James Whithurgt allso from the first beginning running East  $\frac{1}{2}$  No by 136 poles unto the marked corner tree of the land granted to William Edwards, thence So by East 321 poles by the said Edwards his marked treese and then continued beyond them, unto the run of the Ashn Swamp and then down that Runn unto a Cypress Swamp, and then along the western side of that Cypress Swamp, unto the marked trees of Francis Shipp his land at the foot of God-freese runn, and then along the said Shipps marked treese, which are drawn So by W. 248 poles unto a Cypress Swamp, and thence running up the eastern side of the Cypress Swamp, unto the marked trees of the land surveyed for James Whithurgt & then along the said Whithurgt marked treese unto the meeting of the former bounds, the said 3000 acres of land, being formerly granted unto the above mentioned Jno. Porter, Sr., by pattent Dated 28th Octo 1673, and by him Deserted for want of Due seating or Planting, and now is granted, and become Due unto the above said Thomas Fenwick, by and for the transportation of sixty psons into this Collony whose names are in the

Records &c To have and to hold &c to bee held &c yeilding  
and paying &c Provided &c Dated the twenty eight Day of  
September Anno Doms 1681.

Cha Scotchman	Jane Turly	Sar Jacob
Amb Thugwell	Tho Pawlett	Tho Symon
Eliz Ayres	Tho Luck	Eliz Milton
Wm Adam	Mary Edwards	Jane Sands
Marth Mason	Ed Jenkins	Wm Edly
An Bower	Jno Coper	Jno Shirly
Geo Cox	Eliz Rice	Jane Good
Sampson Power	Jno Lankford	Thomas Wittms
Jno Keene	James Buckley	Edwd Bower
Eup Walker	Wm Norton	Ell Haymore
James French	Symon Horton	Eliza Floyd
Jno. Lyn	Elnor Newton	Franchees
Hen Haymore	Eliz Pollby	Mingo
Robt Brill	Edwd Williamy	Sango
Kate Stuart	Edwd Manly	Bob
Tho Huffe	James Norris	Judith
Jno Sway	Steph Coleman	Tony
Marth Young	Mary Fild	Wm Gouch
Susan Knewby	Eliz Board	Tho Lamb
Jno Shurly	Levall	Hen Roberts"

Norfolk County Court proceedings :

October, 18, 1681. Appointed appraiser of Estate of Mr.  
Robt. Hoge.

December 17, 1681. Presented in court a patent for 3000  
acres of land in Norfolk County, dated September, 1681,  
of which Capt. Wm. Robinson claimed 350 acres under a  
previous grant, and the matter was referred to the general  
Court at Williamsburg for adjudication.

February 17, 1682. Walter Blake vs. Thos Fenwick,  
Judgment confessed for 380 lbs. tobacco.

December 16, 1682. Suffered a non-suit in suit vs. Rich-  
ard Howell.

Eo die. Attachment granted vs. estate of John Quinby.

Eo die. Jas. Harris vs. Thomas Fenwick. Judgment for plaintiff for 44£. sterling.

February 15, 168 $\frac{2}{3}$ . Thomas Fenwick vs. Edward Wilder. Judgment for plaintiff for 337 lbs. pork.

Eo die. Robt. Simonds vs. Thos. Fenwick. Suit dismissed. No cause for action.

Eo die. Thos. Fenwick vs. Thos. Skewington. Judgment for plaintiff for 21£ 2s 6d.

March 20, 1683. Granted an attachment vs. Estate of Wm. Newman.

Eo die. Granted an attachment vs. Estate of Robt. Simonds.

Eo die. Henry Creek vs. Thos. Fenwick. Judgment for plaintiff for 130 lbs. tobacco and 108 lbs. pork.

October 18, 1683. Thos. Fenwick vs. Thos Blunt. Continued to next court.

May 16, 1684. Thos. Fenwick vs. Geo. Walke. Continued to next court.

May 17, 1684. Wm. Porten vs. Thos. Fenwick. Judgment for plaintiff for 1£. 6s. 4d.

Eo die. Thomas Jarvis vs. Thos Fenwick. Judgment for plaintiff for 351 lbs. tobacco.

May 17, 1684. Thos. Fenwick vs. Rich'd Church. Dismissed.

Aug. 19, 1684. Rich'd Oliver vs. Thos. Fenwick. Continued to next court.

Oct. 15, 1684. Wm. Porten vs. Thos. Fenwick. Judgment for plaintiff for 1000 pipe stems, "to be paid at said Fenwick's landing."

Oct. 16, 1684. Robt. Oliver vs. Thos. Fenwick. Judgment for plaintiff for 680 lbs. tobacco for 34 days' work on mill dam.

Land Office, Richmond, Va., Liber VII, folio 423:

"To all &c Whereas &c now Know Yee that I the said Francis Lord Howard Governor &c Do with the consent of

the Councel of State accoringly give and grant unto Thomas Fenwick three hundred and fifty acres of land situate lying and being in the County of Lower Norfolk in the woods att the path which goeth from the Eastern branch of Elizabeth River, beginning att a marked ash tree on the western side of a Swamp, thence runing Souty South West one hundred and ninety four poles down the Swamp unto a marked Beech where the path goeth over the Runn thence North West Northerly along the North Eastern side of another Swamp unto a line of marked treese drawn North Norty East two hundred and twenty poles unto a quarter marked maple tree, thence from the said maple So So East 200 poles thence So So West 140 poles to the first beginning the said land being formerly granted to Jane Boulton by pattent dated the 15th day of March 1675 and by her Deserted and now granted to the sd Thomas Fenwick by order of the Generall Court the 22nd Day of November 1683 and is alsoe due by and for the transportation of seven psons into this Collony whose names are in the Records mentioned underneath this Pattent To have and to hold &c yielding and paying &c provided &c Dated the 21st of Octor 1684."

Ibid., folio 431:

"To all &c whereas &c now know yee that I the said Francis Lord Howard Governor &c Doe with the consent of the Councell of State Accordingly Give and grant unto Thomas Fenwick, two thousand six hundred and fifty acres of land, lying in the woods in the County of Lower Norfolk, beginning att a white oak barked on four sides, and standing where the Ashen Swamp joynes with the Cypres Swamp, and soe bounding on the said Cypres Swamp according to the severall courses thereof Intersecting Godfreese Runn to the land of Francis Shipp, thence bounding on his marked trees, to a Cyprus Swamp, according to the severall courses thereof unto the marked trees of the land surveyed for James Whithurgs thence bounding on the said

Whithurgt land, and afterwards att according to the ancient survey to the land of Capt. Wm. Robinsons three hundred and fifty acres, and thence bounding on the land of the said Capt. Robinson, according to the severall courses thereof to the Ashen Swamp; and Generall Including the ancient bounds of a survey made by John Wollop Dated the 3<sup>rd</sup> of May 1673 Excepting Capt Wm. Robinsons three hundred and fifty acres Granted to him by one of the Genall Court the — Day of April 1682 the said land being part of a pattent of three thousand acres of land formerly granted to Mr John Porter Dated 28th of Octor 1673, and by him Deserted for want of seating, and become due unto the said Thomas Fenwick by a grant of the Genall Court in April 1682 And now Confirmed by Order of the Genall Court held the 24th of Octobr 1684 and by and for the Importation of fifty three ps ons into this Collony whose names are in the Records mentioned underneath this Pattent, To have and to hold &c To be held &c Yeilding and paying &c Provided &c Dated the 21st of Octobr 1684."

Court proceedings of Norfolk County:

Jan. 16, 168 $\frac{4}{5}$ . Mathew Pollett vs. Thos. Fenwick.  
Judgment for plaintiff for 986 lbs. tobacco.

Feb. 16, 168 $\frac{4}{5}$ . Thos. Fenwick vs. Geo. Newton. Judgment for plaintiff for 4£ 7s 6d and 1286 lbs. tobacco.

July 16, 1685. Served as juror.

Deeds. Norfolk Co., Va. Liber IV, folio 205:

"To all Xrian people to whome these p\*sents Shall Come; Know yee that I Thomas ffenwick of y<sup>e</sup> parish of Linhaven in y<sup>e</sup> County of Lower Norfolke In Virginia with the fsd and volluntary consent and good will of Marye my wife for and In consideration of a valuable sum of money to me in hand, paid by Lt Coll Anthony Lawson of y<sup>e</sup> same parish and County aforesaid Gen<sup>t</sup> the receipt whereof I doe heareby acknowledge, . . . have given, granted . . . unto y<sup>e</sup> said Lt Coll Anthony Lawson three hundred and fifty acres of land situate . . . in y<sup>e</sup> aforesaid Parish of Linhaven in y<sup>e</sup>

County aforesaid in the woods att y<sup>e</sup> path which goeth from the Eastern chanele of Elizabeth River. . . . The said 350 acres of land being formerley granted to one Jeane Bowlton by Pattent dated y<sup>e</sup> 15 day of March 1675 and by her deserted and since granted unto mee Thomas ffenwick by ordr. of y<sup>e</sup> Gov<sup>r</sup> and Councel the 22th day novemb 1683 and accordingly by pattent dated 21th octob 1684 as by y<sup>e</sup> record and pattent may appeare. . . . In Witness wherof I the said Thomas ffenwick and Mary my wife have heareunto sett o<sup>r</sup> hands and seals this 16th day of July ano dom 1685.  
Ano Regis Jacob second pri<sup>o</sup>

Signed seal'd and delivered  
in psents of us.  
PLOMER BRAY  
JAMES LEMONTE  
THO. HALL

THOMAS FFENWICK [SEAL]  
MARY FFENWICK [SEAL]

1132103

Acknowledged in Court 16th July 1685.

WM. PORTEN C. Cur."

The foregoing is the first reference to the second wife of Thomas Fenwick; her surname is unknown; he married her prior to leaving Virginia, and although the exact date has not been ascertained, approximation suggests 1680–1685. The foregoing is the last reference to Thomas Fenwick as a resident of Virginia, and it is quite probable that the land was sold in consequence of his contemplated removal to Somerset County, Maryland. As the next references are to his appointing attorneys to convey land for him situate in Virginia, it is quite likely that his removal to Maryland occurred about this time.

Deeds. Norfolk Co., Va. Liber V, folio 88:

"Know all men by these presents that I, Thos Fenwick, do appoint . . . my loving friend Mr. George Craford my true and lawful attorney . . . to acknowledge to Captain William Craford in the Court of Lower Norfolk or anywhere else, 2,650 acres of land lying in wood up and from the head of the Eastern Branch of Elizabeth River as by

patent may appear. . . . As witness my hand and seal the 25th day of July, 1685.

THOS. FENWICK and [SEAL]

Teste, JOHN REALPH,  
PHILIP EDENS.

Proved in Court 17 January 168 $\frac{1}{2}$ .

“Know all men by these presents that I, Mary Fenwick, do appoint . . . my loving friend David Scott my true and lawful attorney for me and in my name and for me with my free and voluntary consent without being compelled by my husband in any way at all, to acknowledge to Capt. William Crawford or his heirs forever, 2,650 acres of land being and lying in the parish of Lynhaven in the woods up from the head of the Eastern Branch of Elizabeth River, formerly granted to Mr. John Porter, deceased, and by him relapsed and now granted to my husband, Thomas Fenwick, as by patent may appear, . . . as witness my hand and seal this 20th day of July, 1685.

MARY FENWICK. [SEAL]

Teste, JAMES MULLIGAN,  
ROBT. RICHMOND.

Proved by the oath of Robt. Richmond, 17 January 168 $\frac{1}{2}$ .

“Know all men by these presents that I, Thomas Fenwick, have, and by these presents do for myself and my heirs and assigns, . . . sell, . . . assign and set over all my right, title and interest and claim to the within patent, together with its appurtenances, unto Captain William Crawford his heirs and assigns forever, with warranty, as witness my hand this 20th day of August 1685.

THO. FENWICK.

Acknowledged in Court by George Crawford, atto. for Thos. Fenwick and by David Scott, atto. for Mary Fenwick, 17th January 168 $\frac{1}{2}$ .

Deeds. Norfolk, Va., Liber IV, folio 207:

“To all Xtrian people to whome these psents Shall Come Know yee that I James Peeters of Little Creek in Linhaven

parrish in the County of Lower Norfolke togeether with the free and volluntary consent and good will of Elizabeth my wife for and in consideration of a negro woman slave all-ready receaved in hand of Thomas fenick of the same parish and County before y<sup>e</sup> ensealing and delivery heareof . . . have sould, aliened, . . . unto the above mentioned Thomas ffenick Two hundred acres of land sittuate, lying and being in Linhaven parrish aforesaid and upon the Westerne shore of Linhaven and now by lease in the tenuer and occupation of Jno. Ladd and was formerly granted to owne Wm. Smith and since found escheate and by patent granted to Robert Blake dated the 28th day of octob 1672 according to the ancient bounds thereof, and was for some yeares formerly in possession of Leuin Coll Lambert the said 200 acres of land being sold and exchanged by the said Robert Blake with and to Thomas Reynolds who dyeing without isue living was afterwards sold unto mee the said James Peeters by Jno. Reynolds brother and heire to the said Thomas Reynolds and to my heires and assignes as by his sale to me dated 16th Aprill 1679 under the hand and seals of the said Jno. Reynolds will apeare Recorded in Lower norfolk County 20th May 1672. . . .

In witness whereof I the said James Peeters together with my wife Elizabeth have hereunto sett our hands and seales this 16th day of sep. 1685 Anno Regis Jaicbj Second; pri<sup>o</sup>C.  
Signed, sealed and de-      JAMES PEETERS      } & [SEALS]  
livered in psents of us.      ELIZABETH PEETERS }

WM. THOMPSON

GILLBERT HAMILTON

JACOB JOHNSON

Acknowledged in Court 16th Sept. 1685.

Test: WM. PORTEN, C. Cur."

Court proceedings of Norfolk County:

Sep. 17, 1685. Thos. Fenwick vs. Philip Howard. Continued to next court.

Nov. 17, 1685. Alice Ivy, Executrix, vs. Thos. Fenwick. Judgment for plaintiff for 23 bbls. of salt pork.

Nov. 17, 1685. Whereas Philip Howard did some time detain a servant of Mr. Thos. Fenwick [named Humphry Dorman, that had three years to serve] for the loss of a bull hired to the said Fenwick in which hire the said servant ran away, it is therefore ordered that, in case the said Howard do not, within six months after the date hereof return the said servant to the said Fenwick that then he pay the said Fenwick 600 lbs. tobacco and costs.

Fenwick appears by attorney in the next references in consequence of his removal to Somerset Co., Md.

Court proceedings of Norfolk County:

Nov. 18, 1685. Malachi Thruston, attorney of Thomas Fenwick, confessed judgment in favor of Jas. Rabby for £1 16s 6d and 810 lbs. tobacco.

Same date. The same confesses judgment in favor of John Ferebee for 1060 lbs. tobacco.

Same date. The same confesses judgment in favor of Francis Sayer for 931 lbs. tobacco.

Feb. 3, 1686. The same confesses judgment in favor of Wm. Porten for 1932 lbs. tobacco.

Aug. 16, 1686. The same vs. Thos. Biggs. Attachment granted against defendant's estate.

Land office, Annapolis, Maryland. Liber XXII, folio 276:

"April 14<sup>th</sup> 1686. To the Right Honble Charles, L<sup>d</sup> Baron of Baltimore &c. By virtue of a Warr<sup>t</sup> bearing date the twentieth day of March in the eleventh year of the dom. of the Right Honb<sup>l</sup> Charles &c. 1685 Granted by the Honb<sup>l</sup> Coll William Stevens unto Thomas Fenwick of Somersett County for one thousand acres of land; These are therefor humbly to certifie, that I, Sam<sup>l</sup> Cooper, Deputy Sur<sup>r</sup>. under the Honble, Col. Vincent Lowe Esq, Surv. Gen<sup>l</sup>, have laid out for the said Thomas Fenwick a parcell of land called Cowes Quarters, situate, lying & being on the seaboard side

in Somerset County on the western side of Assawoman Bay . . . containing and now laid out for five hundred acres more or less. To be held of the mannor of Somerset.

SA: COOPER, Deputy Sur<sup>r</sup>

A true Cert. Exam<sup>d</sup> p THO: TAYLOR,  
Deputy Sur. & Exam<sup>r</sup> Gen<sup>l</sup>."

Liber XXII, folio 276:

"April 12, 1686. To the Right Honbl. Charles, L<sup>d</sup> Baron of Baltimore &c. By virtue of a Warr<sup>t</sup> bearing date the Twentieth day of March in the Eleventh year of the dom. of the Right Honble. Charles &c. annoq. dom. 1685 Granted by the Honble Coll. William Stevens unto Thomas Fenwick of Somerset County for a thousand acres of land These are therefor humbly to certifie that I, Samuel Cooper, Deputy Sur. of Somerset County under the Honble Vincent Lowe Esq<sup>r</sup> Sur<sup>r</sup> Gen<sup>l</sup> have laid out for the said Thomas Fenwick a parcell of land called Fenwicks Choice, scituate lying & being on the seaboard side in Somerset County at the mouth of a Creek called Cedar Neck creek on the Eastern side of the s<sup>d</sup> creek . . . containing and now laid out for five hundred acres more or less. To be held of the mannor of Somerset.

SA: COOPER, Depty. Sur<sup>rt</sup>.

A true Cert. Exam<sup>d</sup> p THOS: TAYLOR  
Depty. Sur<sup>rt</sup> & Exam<sup>r</sup> Gen<sup>l</sup>"

Liber XXII, folio 336:

"May the 4<sup>th</sup> 1687. By virtue of a warr<sup>t</sup> granted to M<sup>r</sup> Thomas Fenwick, of Somerset County for one thousand acres of land under the hand & seal of the Hon'ble. Co<sup>ll</sup> William Stevens bearing date the 22<sup>d</sup> day of February 1686 in the 12th year of the dom: of the Right Honble Charles &c. These are therefor to certifie that W<sup>m</sup> Whittington Deputy Sur. by the appointment of the Honble Col Vincent Lowe, Sur<sup>r</sup> Gen<sup>l</sup> of this Province, have accordingly surveyed and laid out for him the said Thomas Fenwick (being but in part of the said war<sup>t</sup> aforesaid) a tract of

land called the Scottish Plott, situate, lying and being in the said County of Somerset near the seaboard side . . . containing and now laid out for four hundred acres more or less To be held of the Mannor of Somerset.

W<sup>m</sup> WHITTINGTON, Dept<sup>y</sup> Sur<sup>r</sup>

Examined pure HENRY BRENT

Dept<sup>y</sup> Sur-Gen<sup>l</sup> & Exam<sup>r</sup> Gen<sup>l</sup>"

Liber XXII, folio 337:

" May 5<sup>th</sup> 1687 By virtue of a war<sup>t</sup> granted unto M<sup>r</sup> Thomas Fenwick of Somerset County for one thousand acres of land under the hand & seal of the Honble Col. William Stevens, bearing date 22<sup>d</sup> day of February 1686 in the 12 year of the doms of the Right Honble Charles &c. These are therefor to certifie, that I, William Whittington, Deputy Sur. by the appointment of the Honble Coll. Vincent Lowe Sur Gen<sup>l</sup> of this Province have accordingly surveyed and laid out for him the said Thomas Fenwick a certain tract of land called Dumfriese, situate, lying & being in Somerset County near the seaboard side . . . containing and now laid out for five hundred acres more or less To be held of the Mannor of Somerset.

W<sup>m</sup> WHITTINGTON, Depty Sur<sup>r</sup>

Exm<sup>d</sup> pure HENRY BRENT

Dept<sup>y</sup>-Sur Gen<sup>l</sup> & Exam<sup>r</sup> Gen<sup>l</sup>"

Col. William Stevens was authorized by Lord Baltimore to issue warrants for land in Somerset County, which accounts for the reference to him in the foregoing returns of survey.

Deeds. Norfolk Co., Va. Liber V, folio 82:

" Know all men by these psents that I Thomas fenwick of Somersett County in y<sup>e</sup> province of Mary Land doe make name & ordaine . . . my freind Malaihy thruston of the County of Lower Norfolk Gen<sup>t</sup> my true and lawful attorney . . . to take into his posesion one . . . tract . . . of land being a plantation to mee properly belonging in y<sup>e</sup> County of Lower Norfolk afforesaid sittuate, lying and being on the

westerne shore of Linhaven & comonly formerly knowne by the name of Coll Lamberts plantation and latly sold unto me by James peeters and Elizabeth his wife as by deed und. theire hand and seales may and will apeare upon record in y<sup>e</sup> said County of Lower Norfolke & I do heareby give unto my said attorney full power . . . to sell . . . the said . . . tract of land containing about two hundred acres . . . In witness whereof I have heareunto sett my hand and seale this 23 day of July 1688.

THOMAS FINWICK & seale

signed and sealed and delivered  
in the p'sents of us.

ALEXANDER KEELING

ADAM THOROWGOOD.

Proved in open Court by the oaths of ALEXANDER KEELING & ADAM THOROWGOOD 16th November 16 .

Know all men by these psents that I Mala thruston of Linhaven p'ish. in y<sup>e</sup> County of Lower Norfolk Gen<sup>t</sup> attorney of the within mentioned Thomas fenwick by vertue of a letter attorney from y<sup>e</sup> said finick thereto impowring mee have and heareby doe in y<sup>e</sup> behalfe of the sd thomas fenick assign all y<sup>e</sup> said finick right title and interst of in or to the land and apurtenances within mentioned unto Wm. Porten his heires Execut Admr<sup>s</sup> and asigues forever. Wittness my hand & seale this 16th day of November 1688.

MALA THRUSTON & seale

signed sealed & dd in  
p'sents of us.

JNO. NICHOLES

ANTHONY LAWSON

BEN. BUROUGH

Acknowledged in Court 16th November."

Pa. Ar., Vol. XIX, p. 50:

"At a meeting of the Commissioners the 22<sup>nd</sup> of 9ber,  
1690. Present, W<sup>m</sup> Markham, Robt. Turner and John  
Goodson.

The Petition of W<sup>m</sup> Clark was read, setting forth that one Thomas Fenwick hath taken up a tract of land on the South side of the Indian River in Sussex County, by a grant from Mary Land, the which tract is in the Manor laid out by the Proprietary's order, and requesting that he may have a grant from the Commissioners to take it up and he will forthwith seat it to prevent the other. The tract being six hundred acres. Whereupon it was granted upon old rent."

Deeds. Somerset County, Maryland. Liber L, folio 125 :

" This indenture made the twenty seventh day of December in the fourth year of the Reign of our Sovereign Lord and Lady William and Mary by the Grace of God of England, Scotland ffrance & Ireland King an Queen defenders of the faith &ra. And in the year of our Lord God one thousand six hundred ninety & two. Between George Layfield of Somerset County in the Province of Maryland Esq<sup>r</sup> and Eliz: his now Wife Relict & Executrix of William Stevens Esq<sup>r</sup> deed of the one part and Thomas ffenwick of the same County and Province of Maryland Gen<sup>t</sup> of the other part Witnesseth. That Whereas the Right Hon<sup>ble</sup> Lord Baron of Baltimore &ra by his patent or Deed of grant under the great Seal used in this Province of Maryland for granting of Land bearing date at the City of St Maries, the fourteenth day of September in the Sixth year of his Dominion Anneqz Domini one thousand six hundred eighty and one. Did for the Consideration therein mentioned grant unto Co<sup>u</sup> William Stevens of Somerset County in the Province of Maryland all that tract or parcell of Land called fishing Harbor Lying on the Sea board Side, an Island to the North East of the mouth of St Martins River and a Little to the Eastward of a Narrow passage of Marishes Between the heads of two Inlets of water . . . Containing and laid out per According to y<sup>e</sup> Certificate of Survey thereof taken and Returned into the Land Office at the City of St Maries bearing date the three & twentieth day of

March then last past and there remaining upon Record for one hundred Acres of Land more or less. . . . Now this Indenture further Witnesseth. That the above named George Layfield and Elizabeth his wife for the Consideration of thirty pounds Sterling money of England to them in hand paid by the said Thomas ffenwick. . . . Have given granted Bargained and Sold, . . . unto the above named Thomas ffenwick his Heirs and Assigns for Ever, All the aforesd Tract or parcell of Land Called fishing harbor. . . . To be holden of the Lord Proprietary &ra.” . . .

This was part of the tract thereafter known as “Fenwick’s Island.”

Liber L, folio 127:

“This Indenture made the twenty seventh day of December in the fourth year of the reign of our Sovereign Lord and Lady William & Mary by y<sup>e</sup> Grace of God of England Scotland ffrance & Ireland King and Queen Defenders of the faith &ra. And in the year of our Lord God one thousand six hundred ninety and two. Between George Layfield of Somerset County in the Province of Maryland Esq<sup>r</sup> and Eliz. his now wife Relict and Executrix of William Stevens Esq<sup>r</sup> of the one part And Thomas ffenwick of the same County & Province of Maryland Gent. of the other part Witnesseth That Whereas the right Hon<sup>blo</sup> Charles Lord Barren of Baltimore &ra By his Pattent or Deed of Grant bearing Date at the Citty of S<sup>t</sup> Maries the first day of September in the twelfth year of his Dominion &ra one thousand six hundred & eighty seven Did for the Consideration therein mentioned Grant To William Stevens of Somerset County in the Province of Maryland under the great Seal used in this Province of Maryland for Granting of Lands all that tract or parcell of Land called Winter Pasture, situate lying & being on the Sea board Side in Somerset County upon an Island called Assateague Island . . . Containing and now laid out for five hundred Acres more or

less. According to the Certificate of Survey thereof taken and surveyed into the Land Office at y<sup>e</sup> City of S<sup>t</sup> Maries bearing date the Sixth day of May one thousand six hundred eighty six, And there remaining upon Record. . . . Now this Indenture further Witnesseth, That the above Named George Layfield & Elizabeth his wife for the Consideration of the sum or Quantity of Ten thousand pounds of good Sound Merchantable leaf tobacco and Caske to them in hand paid by the sd Thom ffenwick . . . Hath given granted bargained and sold . . . with the above named Tho. ffenwick his Heirs and assigns for Ever, All the aforesd Tract or parcel of Land Called Winter Pasture . . . holden of the Lord Proprytary &ra."

This was a conveyance of the balance of the tract thereafter known as "Fenwick's Island," which, with the previous conveyance, included six hundred acres.

Liber L, folio 104:

Conveyance dated July 18, 1693, between "Thomas ffenwick and Mary his wife of Somerset & Province of Maryland of ye one part & Hugh Tingle of ye sd County & Province of the other part," conveying 200 acres of the tract called "Dumfries." Witnesses, Robert Pirrie and Thomas Morris.

Liber L, folio 108:

Conveyance dated July 18, 1693, between the same and Richard Woodcraft of the same place, conveying 100 acres of "Dumfries." Same witnesses.

Liber L, folio 286:

Conveyance dated June 19, 1694, between the same and Joseph Robinson, John Parker, Philip Parker and Charles Parker, "of the County of Accamack in Virginia," conveying "all the remaining part of the Tract of Land before mentioned unsold unto Hugh Tingle or Richard Woodcraft," being 300 acres of "Dumfries." Witnesses, Samuel Hopkins and William Round.

This is the last reference styling Thomas Fenwick of Somerset County, Maryland.

In the old Court Docket of Sussex County, Delaware, in possession of the Pennsylvania Historical Society, are many allusions to Thomas Fenwick. Reference cannot be made to the pages thereof, as they are not numbered, and, consequently, the dates must suffice.

“ Att a Court of Common Pleas held for Sussex County, 5 September 1694.

THOMAS FFENWICK, Plff. } In an action of  
WILLIAM SHAW, Deft. } ye case.”

Thomas Fenwick was not a resident of Sussex County at that date, but merely a suitor; he lived, however, quite near the Court’s jurisdiction, as previous references indicate.

“ Att a Court of Common Pleas held for Sussex County 6 and 7 December, 1694.

Charles Haynes by his wife Jane acknowledged in open Court the sale of eight acres of land in ye Town of Lewis unto Tho: ffenwick according to deeds of sale then and there delivered, bearing date the 28th Day of November, 1694.”

This is the first reference to ownership of land in Sussex County, although he does not seem to have resided there until later.

Liber L, folio (number omitted). Somerset County, Maryland :

Conveyance dated June 11, 1695, between “ Thomas ffenwick of Maryland, in Somerset County, Planter, and Mary his wife of the one part, and William Corde of the same place of the other part, conveying 500 acres known as “ Cowes Quarters.” Witnesses, Mary Round, Martha Round, Jno. Franklin and Robert Pirrie.

The following is quoted from Scharf’s “ History of Delaware,” page 1235 :

“ In the latter part of the seventeenth century the coast was much harassed by the French privateers who threatened to lay waste such towns as refused to pay them tribute. Fears were early entertained that Lewes would be signaled

out for an attack, and on the 15<sup>th</sup> of July, 1695, the Court at Lewes took action in the matter of providing a watch for the approach of the enemy as follows:

‘Present at Court, Justice William Clark, John Stokely, Capt. Luke Watson, Thomas Oldman, Capt. Thomas Pemberton and Joseph Booth, when these minutes were placed upon the records: An order and warrant from the Governor and Council was produced and read, Relating to a suspicion of a Designe of our enemies, the ffrench, to attack this or some of our neighboring Plantations, whereon for safe Guard it is ordered, that two men shall be Hired to Watch upon the Cape every day from five in the morning until seven att night until ye first day of October next Ensuing. In obedience whereunto the Justice’s considering of Persons fitting for ye said watch and trusts, and did Agree and approve of Anthony Parsly and John Pulbert, and accordingly did agree with them.’”

“Subsequently it was deemed best that this watch should be distributed among the citizens of the town and the vicinity, and the Court decreed that ‘Watch bee appointed to be kept at Cape Inlopen,’ to begin Monday, June 7, 1697, and to continue until the season was ended,

‘first watch by two at a time successively as they are hereafter named, at the rate of 3c. a day, per man, viz: Jonathan Bayley and Nehimiah ffield, William Clark and Cornelius Wiltbank, Abraham Wiltbank and Isaac Wiltbank, James Sealtown and John Gibb, John Miers and James Walker, Jonathan Wolfinder and William Orr, John Hill and Henry Stretcher, Jacob Kollock and Alexander Molleston, Thomas Lay and Peter Lewis, William Dyre and Thomas Oldman, John Crouch and Philip Russell, Capt. Watson and John Paynter, Caleb Herwthen and James Peterkin, William Adams and Gaines Simson, Thomas Fenwick and John Williams.’

“It does not appear that the enemy made his appearance that season for the purpose of pillage, but the following year

the fears of the people were realized. The French pirates landed and sacked Lewes August 27, 1698."

"Att a Court of Common Pleas for Sussex County; held at Lewes, September 3, 1695. (Court Docket.)

Doctor Charles Haynes conveys four acres to Thomas ffenwick, the same being derived from Henry Stretcher."

Deeds, Somerset County, Maryland. Liber L, folio 507:

"Know all men by these presents that Thomas ffenwick of Sussix County annexed unto the Province of Pensilvania Gent and Mary his wife, the Remoteness of habitation and divers other Considerations them thereunto moving but more Espicially for and in Consideration of the Sum of eight thousand weight of tobacco to them in hand to their full Content paid by George Layfield of Somerset County in Maryland Esq' have . . . Constituted . . . our Worthy friend William Powell of the Said Somerset County Gent our true & Lawfull attorney . . . to Sell . . . and Confirm unto the Said George Layfield his heirs and assigns forever, a Certain Tract or pcell of Land Called Scottish plott Scituate Lying and being in the County of Somerset afd and on the Sea board Side thereof Containing four hundred Acres and part of a Warrant of one thousand Acres. . . . In witness whereof wee have hereunto Sett our hands & Seales this 27<sup>th</sup> day of March an<sup>o</sup> Ri Rs Gulielmi Parlij nunc anglico midevmo anno Domj 1699

THOMAS FFENWICK  
MARY FFENWICK"

Liber L, folio 508:

William Powell, mentioned in previous deed, conveys as attorney of Thomas Fenwick and Mary his wife, by conveyance dated April 4, 1699, "Scottish Plott," therein referred to.

Scharf's "History of Delaware," page 1222:

"June 6, 1699, William Dyre conveyed to Thomas Fenwick 96 acres of land fronting on Lewes Creek, 60 feet back of the same for a street, adjoining the uppermost part of Lewes."

Volume I, "Colonial Records of Pennsylvania," page 595 :  
 "Att a Council Held at philadelphie die Lunae, 1st April,  
 1700."

"The Sheriff of y<sup>e</sup> Countie of Sussex his return of representatives in Council was produced, qrb<sup>y</sup> itt appeared yt yr wer elected Samll preston for 3, Jno Hill for 2, & Tho. ffenwick for one year."

"The abov returned ps ons, excepting those for kent Countie, appearing, subt. the Qualificaon following, viz: pennsilvania, 1st 2d mo., April 1700, 'We severallie & each of us for ourselves, do sincerely promise & declare as sol emlie as if wee took an oath, yt wee will be true & faithfull to y<sup>e</sup> King & Crown of England, & to Wm. Penn, pror & Gor of y<sup>e</sup> province of pennsilvania & territories ynto belonging, & his heirs, according to y<sup>e</sup> Lres patent granted to him by King Charles y<sup>e</sup> 2d, under y<sup>e</sup> great Seal of England,' & took their places att y<sup>e</sup> board, and so yr wer

Present:

Joseph Growdon,	Griffith Owen,	John Donaldson,
William Biles,	David Lloyd,	Jasper Yeates,
Richd Hough,	Caleb pussey,	Samll preston,
Samll Carpenter	John Simcocke,	John Hill,
Edward Shippen,	Richd Halliwell,	Tho. Fenwick."

Thomas Fenwick attended the meetings of the Council until October 16, 1700, when he was returned as a Member of the Assembly from Sussex County. The proceedings of the Council covering this period are printed in Vol. I of the "Colonial Records."

"Colonial Records," Vol. I, page 614, contains the following :

"Att a Council held att Newcastle die Mercury, 16<sup>th</sup> inst.  
 (October 16, 1700.)

"The pror & Gor desired y<sup>e</sup> secrie to see if the Assemblie were readie, who returned yt they wold forthwith wait upon him, weh they accordingle did."

"The Sheriff of Sussex his Return was produced, qrb<sup>y</sup>

ther wer elected John Hill, Tho. Pemberton, Luke Watson, Jr. Tho. Fenwick

Which psions so returned appearing, subt y<sup>e</sup> qualificaon of representatives in ass."

Page 620:

"Att a Councill Held att N. Castle die Sabbati, 9<sup>th</sup> instant. (Nov. 9, 1700.)"

"Att wch time Tho. Fenwick & Sam Dark brought some Bills from y<sup>e</sup> ass, by them thrice read, for y<sup>e</sup> Gor & Coun-cill's Concurrence."

Page 621:

"Att a Councill Held att N. Castle die Martis, 12<sup>th</sup> instant (Nov. 12, 1700.)"

"Saml Lewis & Tho. Fenwick brought some bills from y<sup>e</sup> ass: that had been thrice read by ym, for the Gor & Coun-cill's Concurrence."

Page 622:

"Att a Council Held att Newcastle die Lunae, 18th Novr' 1700."

"Tho. Fenwick & Nicho. Newlin, brought from y<sup>e</sup> ass: foure Bills that had been three times read, for their Con-currence."

Page 623:

"Att a Council held att New Castle die Mercury, 20th instant (Nov. 20, 1700.)"

"Tho. Fenwick & Nicho. Newlin, from y<sup>e</sup> ass, desired y<sup>e</sup> Gor to appoint a member of Council to meet with two members of ass, to compare y<sup>e</sup> Laws yt wer ingrossed; who accordinglie appointed Caleb pussey."

In the "Votes and Proceedings of the House of Repre-sentatives of the Province of Pennsylvania, Printed by B. Franklin and D. Hall, MDCCCLII," may be read a full account of the legislation during Fenwick's membership.

Page 123: Thomas Fenwick present at an Assembly held at New Castle the fourteenth day of October, 1700.

Page 125: October 22, 1700.

“Ordered, That Thomas Fenwick and Samuel Lewis attend the Governor and acquaint him that inasmuch as the House was not full, they were unwilling to proceede to any great Matter of Moment; therefore, desired to know if the Sheriff had made Return of the Members from New Castle County.

The said Members return, and report, that the Governeer acquainted them, that there were Members enough to do Business; and therefore he took it unkind that they would not proceed.”

Page 129:

“Ordered, that Thomas Fenwick and John Healy attend the Governer with the aforesaid eleven Bills (which have been read To-day a second time) for his approbation. The said Members return and report that they delivered the Bills; and that the Governor desired this House would acquaint him when they rise, in order to keep a correspondence with the House.”

Page 137:

Nov. 18, 1700. “Thomas Fenwick and Joseph Baker were sent to the Governor with four Bills, which had been read a third time, for his concurrence.

The said Members return and report, they have been with the Governor and delivered the Bills; whereupon he reply’d that he should not stick upon small things; and further that he desired this House would make haste.”

Deeds. Somerset Co., Md. Liber L, folio 565:

“This Indenture made the 4<sup>th</sup> day of September in the 12<sup>th</sup> year of the Reign of our Sovereign Lord William the third of England Scotland ffrance & Ireland King defender of the faith &ra anno Dom 1700 Between Thomas ffenwick and Mary his Wife of Lewis Town in the Territories of Pennsylvania yeoman of the one part and Benjamin Idolett of Somerset County and Province of Maryland Cordwinder of the other part Witnesseth that whereas the Right Honoble Charles Lord Barron of Baltemore &ra by his deed of grant

und<sup>r</sup> the great Seale for granting of Land in the Said Province of Maryland bearing date at the Citty of S<sup>t</sup> Maries the first day of September ann Dom 1687 did grant unto W<sup>m</sup> Stevens gentl all that tract or pcell of Land Lying Scituate & being on the seaboard Side in Somerset County upon Assateague Island Called Winter pasture . . . containing five hundred acres . . . now this indenture further witnesseth that . . . said Thomas ffenwick and Mary his now Wife . . . Conveyed . . . unto him the said Benjamin Idolett a part of the Said five hund<sup>rd</sup> acres of Land being one hundred acres taken out of the same and is a part thereof lying and being at the head line of another part of the afs Tract of five hund<sup>rd</sup> acres of land Containing three hund<sup>rd</sup> acres Sold unto Charles Taylor of accomack County in Virg<sup>a</sup>."

This was part of "Fenwick's Island."

Liber L, folio 603:

"This Indenture made the fourth day of September in the 12<sup>th</sup> year of the Reign of our Sovereign Lord William the third by the grace of god of England Scotland ffrance & Ireland King defend<sup>r</sup> of the faith et anno Domj 1700 Between Thomas ffenwick and Mary his now wife of Lewes Town in the Territories of Pensillvania of the one part gentry and Charles Taylor of accomack County in Virg<sup>a</sup> planter of the other part Witnesseth That whereas the R<sup>t</sup> Hono<sup>ble</sup> Charles Lord Baltemore &ra by his deed of grant for granting of Land in the Province of maryland did und<sup>r</sup> the great Seal grant unto William Stevens of Somerset County gent all that Tract or pcell of Land Called Winter pasture as by the said deed of grant bearing date att St maries the first day of September annoq<sup>r</sup> Domj 1687 Recourse to the said deed being had it doth more att large and more fully appear Lying Scituate and being on the Sea board Side in the said County of Somerset upon Assateague Island . . . Containing five hund<sup>rd</sup> acres . . . which said Tract of Land called Winter Pasture was by the said Wil-

liam Stevens and Elizabeth his Wife granted . . . to the said Thomas ffenwick . . . Now this Indenture further Witnesseth that the said Thomas ffenwick and Mary his wife . . . Conveye . . . unto him the said Charles Taylor three hundred acres of land taken out of the above recited Tract of Land Called Winter pasture Containing five hundred acres."

This was also part of "Fenwick's Island."

The foregoing is the last mention of Thomas Fenwick's second wife Mary; she does not join in the next conveyance, 1704, from which it is inferred that she died 1700–1704.

The exact date of Thomas Fenwick's commission as a Justice has not been ascertained, but the Court Docket of Sussex Co., in possession of the Penna. His. Soc., records his acting in that capacity from February 2, 1702, continuously until March, 1705. As is well known, the Justices acted as Judges of the Courts of Common Pleas, Quarter Sessions and Orphans' Court, and there are many references to his presiding in each during that period. The following is the first reference in which Thomas Fenwick appears as a Judge:

"At a County Co<sup>t</sup> Held Att Lewis ffor The County of Sussex By the Queen's authority and In the Proprietary's Name, on the Second Day of february An<sup>o</sup> Dom<sup>i</sup> 1702, Before W<sup>m</sup> Clark, John Hill, Tho : ffinwick, James Walker and Philip Russell, Justices of the said Co<sup>t</sup>."

"Edward Stretcher was appointed and attested Constable for Lewes Town District in the place of Thomas Harford."

"Justice Thomas ffinwick appeared in Co<sup>t</sup> as Coron<sup>r</sup> upon ye Body of a Dead man found lying upon the Seashoar at Rehobah and presented in writing the verdict of the Jury of Inquest upon view of the said corps, who found the same to be drowned & by infomacon by falling out of a Boat att Rehobah Inlett and so he by his Death came."

"At a Meeting of the Justices assess<sup>r</sup>s at y<sup>e</sup> Co<sup>t</sup> house at Lewis in the County of Sussex The ffourth day of March An<sup>o</sup> Dom<sup>i</sup> 1702 according to law To audite the Complaints

of all such ps ons or ps ons within the said County that shall finde themselves over rated in their County Taxes or Leavies In the said year, as also either to augment or defaulk, as shall be made appear either by y<sup>e</sup> ps ons own attestacons or the Proof of others.

Assessors present, Wm. Clark, John Hill, Thomas finwick, James Walker, and Philip Russell, Esq<sup>rs</sup>.

“ Pennsylvania Archives,” Second Series, Volume XIX, contains a “List of officers of the Colonies on the Delaware and the Province of Pennsylvania, 1614–1776,” and upon page 664 appears, “Thomas Fenwick appointed a Justice of the Peace for Whorekill (former name of Sussex County), August 16, 1702.”

#### Old Docket of Sussex Co.:

At a Court of Common Pleas held at Lewes for the County of Sussex, May 4, 1703, “Edward Page was fined five shillings for swearing in the presence of Justice Thomas finwick.”

No other abstracts referring to Fenwick as a Judge have been inserted, as the dockets show only the usual proceedings of the office. “Colonial Records of Pennsylvania,” Volume II, page 136, states :

“ 20<sup>th</sup> 2<sup>nd</sup> mo. 1704, Thomas Fenwick commissioned a Justice of the Peace for Sussex County,” according to which he must have served until a year later.

In the Register of Deeds’ Office, Georgetown, Sussex County, Delaware, Liber H, folio 309, there is a record of a conveyance by Thomas Fenwick to Edward Stretcher, (his son-in-law) 1704.

#### Scharf’s “History of Delaware,” page 1210:

“The first registers of wills were termed registers under the three counties.”

“On the 9th of August, 1705, John Hill, Luke Watson and Thomas Fenwick were appointed deputy registers, and April 7, 1708, John Hill, Jeremiah Bailey and Philip Russell were appointed.”

The term of office was three years, and the dockets at Georgetown refer to Thomas Fenwick in office from 1705 to 1708, the year of his death. An examination of these records suggested nothing of interest for quoting, being merely the usual proceedings and records of the office.

Concurrently with his being Register of Wills, he was High Sheriff of Sussex County, qualifying in that office November 22, 1705, as appears by the following extract from the old Court Docket of Sussex County in possession of the Historical Society of Pennsylvania:

"A special Co<sup>r</sup>t of Oyer and terminer & Goal of Delivery held att Lewis the Twenty Second day of November in y<sup>e</sup> fourth Year of y<sup>e</sup> Reign of our Sovereign Lady Queen Anne Over England, &c, Ano Domi 1705, to try John Sands Marin<sup>r</sup> ffor killing John Dunnavan, Plant<sup>r</sup>.

5

1705	Judges Presnt. JOHN HILL, LUKE WATSON, THOMAS FFISHER.
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Proclamacon was made Comanding silence whilst The Hon<sup>ble</sup> John Evans Esq<sup>r</sup> Lt. Governo<sup>r</sup> of y<sup>e</sup> Province of Pensilvania and Counties of New Castle, Kent and Sussex on Delaware his Comission to the above named Judges &c. was reading. Alsoe Governor<sup>s</sup> Writt of Dedimus Potestatem to Nehemiah Field Directed was read and executed on the sd. Judges in Open Co<sup>r</sup>t. Thomas Finwick alsoe qualified as Sher<sup>r</sup> of Sussex County at the same time."

In the Recorder of Deeds' Office, Georgetown, Delaware, may be found the following references to conveyances by Thomas Fenwick as Sheriff of Sussex County:

Liber A, No. 1, folio 91:

1705. Thomas Fenwick, Sheriff, etc., to Mat. Stevens.

Same folio:

1705. The same to Wm. White.

Folio 92:

1705. The same to Rice Wolfe.

Liber C, folio 92:

1705. The same to Jno. Gibb.

Folio 308:

1707. The same to Walter Groombridge.

Same folio:

1707. The same to Jno. Williams.

Folio 309:

1707. The same to Jno. Hepburn.

Folio 315:

1707. The same to Jno. Gibb.

Folio 222:

1707. The same to Jno. Williams.

Folio 224:

1707. The same to Walter Groombridge.

Liber D, folio 16:

1707. The same to Jno. Hepburnde.

The foregoing were also delivered in open Court and are referred to in the Court's proceedings.

Deeds. Somerset Co., Md. Liber C. D., folio 128:

Conveyance dated February 16, 170 $\frac{1}{2}$ , "between Thomas Fenwick of Lewes Town in Sussex County, one of ye Counties under ye Government of ye Province of Pensilvania, Gent, of ye one part and Woodman Stockly in Somerset County in ye Province of Maryland of ye other part," conveying 500 acres called "Fenwick's Choice." Witnesses, Jno. Booden and Wm. Walton.

Same liber, folio 102:

"This Indenture made y<sup>e</sup> twenty Six<sup>t</sup> of ffebruary In y<sup>e</sup> sixth yeare of y<sup>e</sup> Reign of o<sup>r</sup> Sovereign Lady Anne by y<sup>e</sup> Grace of God of England Scotland ffrance & Ireland Queen defender of the ffaith &ra & in y<sup>e</sup> yeare of o<sup>r</sup> Ld God one thousand seven hundred & seven eight Between Tho<sup>c</sup> ffenwick of y<sup>e</sup> County of sussex in y<sup>e</sup> province of Pensilvania Gent: on y<sup>e</sup> one part & Wm ffawcett of y<sup>e</sup> County of somerset & province of Maryland Gent: on y<sup>e</sup> other part Wittnesseth y<sup>t</sup> whereas y<sup>e</sup> Right Honor<sup>b<sup>le</sup></sup> Charles Ld Barron of

Baltimore & ra by his Pattent or deed of grant under y<sup>e</sup> great Seale used in y<sup>e</sup> Province of Maryland for granting of Land bearing date at City of St Maries y<sup>e</sup> fourteenth day of 7ber in y<sup>e</sup> Sixth yeare of his Dominion An<sup>o</sup> Dom one thousand six hundred eighty & one did for y<sup>e</sup> Consideration therein mentioned did Grant unto Coll<sup>r</sup> W<sup>m</sup> Stevens of y<sup>e</sup> County & Province afsd all y<sup>t</sup> Tract or percell of land called ffinishing harbour lying on y<sup>e</sup> Sea board Side An Island to y<sup>e</sup> North East of St Martins River & a little to y<sup>e</sup> Eastward of a Narrow passage of Marshes Between y<sup>e</sup> heads of two Inlets of Water Beginning at y<sup>e</sup> South West cove of water in Marshes of Assawaman Inlet . . . Containing one hundred acres more or less according to ye Certificate of survey thereof taken & returned unto y<sup>e</sup> Land office at y<sup>e</sup> City of S<sup>t</sup> Maries bearing date y<sup>e</sup> three & twentieth day of March then last past & there remaining upon record . . . Now this Indenture further Witnesseth y<sup>t</sup> George Layfield and Elizabeth his now Wife . . . have granted . . . unto y<sup>e</sup> above named Tho<sup>o</sup> ffinwick his heirs and Assignes forever all y<sup>e</sup> abovesd Tract or percell of Land Called ffinishing harbour . . . Now this Indenture further witnesseth y<sup>t</sup> y<sup>e</sup> above Mentioned Tho<sup>o</sup> ffinwick . . . has granted . . . unto y<sup>e</sup> above Named Wm<sup>e</sup> flawsitt . . . all y<sup>e</sup> afsd Tract or percell of Land Called fishing harbour.”

As Fenwick's Island was referred to in the celebrated case between Penn and Lord Baltimore, it may be interesting to read some of the extracts from the depositions of the witnesses. Volume XVI, “Pennsylvania Archives,” Second Series, contains the following:

“In Chancery.

Breviate.

John Penn, Thomas Penn

and Richard Penn, Esq<sup>rs</sup>., Plaintiffs

Charles Calvert, Esq., Lord Baltimore in the Kingdom of Ireland, Defendant.

For the Plaintiffs.

Upon a Bill to compell a specifick Execution of Articles of Agreement entered into between the Partys for settling the Boundarys of the Province of Pensilvania, the Three Lower Countys, and the Province of Maryland, and for perpetuating Testimony, &c."

Page 642:

" Thomas Noxon, aged 40.

" Is acquainted with the said Peninsula, and has known it about 20 years. Became acquainted therewith by travelling in several parts thereof by land, by sailing in and out of Delaware Bay, and by sailing in some parts of Chesopeak Bay, but, more particularly, from making a survey in 1737, by running a Traverse from the Town of New Castle, down, thro' part of New Castle County, then thro' Kent County, and afterwards thro' Sussex County, to Fenick's Island, which the Deponent was then told had been formerly called Cape Henlopen, and had been esteemed the Southern bounds of Sussex County."

Page 644:

Another deposition of Noxon similar to former in its allusion to Fenwick's Island.

Page 661:

Thomas Noxon further deposes, " That the true Southern Cape, which forms the mouth of Delaware Bay, is the Cape near Lewes Town but to the Southward of that Cape, and about 7 or 8 miles to the Southward of Indian River, upon Fenwick's Island, there is the appearance of another cape, well known to sailors by the name of the False Cape, which deponent hath heard frequently called Cape Henlopen by ancient people, which last mentioned cape from the seaward at a distance, has the appearance of a cape, but as it is approached nearer, that appearance vanishes."

Page 663:

" Elizabeth Morris, aged 65.

" That the said County, now called Sussex, since it has been under the Government of Proprietors of Pensilvania,

did extend Southerly beyond the Indian River, which the affirmant well remembers, because several persons, particularly the Burtons, Stockleys, and one Fenwick, (who the affirmant heard owned Fenwick's Island) lived to the Southward of that River, under the Government of the Proprietors of Pensilvania, and that divers persons used to come from beyond that River and attend Sussex County Court. And saith that she has heard and believes, that there was a tree, marked by the Dutch, to the Southward of the Indian River, as a boundary between the said County and the Province of Maryland, which has been long since cut down, upon which a plate of brass was fixed, with the figure of a ship upon it, but the particular place where the tree stood, knows not."

Page 665 :

" Samuel Preston, Esq., aged 75.

" When affirmant first became acquainted with the said County (Sussex)

" And also saith that it was generally reputed, when this affirmant first became acquainted with the said county, that the Dutch had claimed the same as far as the Inlett called Assawaman, and near to it, or at, a place called Fenwick's Island ; and that, near Assawaman aforesaid, they had set up a standard, either up a tree or a post, with a brass plate, or brass nails, as a mark of their claim. And saith, that he has heard and believes, and it was then so generally reputed and understood, that, soon after the said William Penn's becoming Proprietor of Pensilvania, and the said Three Lower Counties, a Mannor was laid out, by or under the said William Penn's directions, near Assawaman Inlett aforesaid, and was called the Duke of York's Mannor."

Page 665 :

" John Teague, of Maryland, Planter, aged 85.

" And further saith, that the County wherein the said Town now called Lewes stood, when this Deponent first knew the same, was called the Whorekill, and is now called

Sussex County, and was then under the Government of the said William Penn, and that this Deponent never heard that the same was under the Government of the Lord Baltimore, or the Government of New York; and saith that the said County, antiently called the Whorekill, and now Sussex County, when this Deponent first knew the same, extended beyond, or to the Southward of, Indian River aforesaid, and to a place called Phenix's Island, where this Deponent has been, and was there told, that that was the Exent [Extent?] of the said County to the Southward. And this Deponent saith, that about three or four years after the Duke of Monmouth's Rebellion in England, but the exact number of years ago this Deponent doth not now remember, he this Deponent was at the said Place, called Phenix's Island, in company with two persons, who there shewed this Deponent a square post of about seven foot high, with a pointed head, which had three brass nails driven into three of the sides of the said post, the heads of which nails were near the size of an English half-penny, and which post this Deponent supposed had been fixed there by the Indians, till he was told by the said two persons, and afterwards by several others, that they believed the same had been placed there by the Dutch. And saith that he heard, some time after, that there was also found, upon the said Island, near, but further to the Southward of the said post, a tree, whereon was a plate of brass, which, having been grown over with the Bark, was discovered, upon cutting up and splitting the said tree into fence-rails, which information, relating to the said tree and plate of brass, this Deponent had from the son of one Thomas Munford, who told this Deponent he had it from his father, who had lived with Mr. Phenix upon the said Island."

Page 667:

"William Waples, aged 63.

"But then heard that the said William Penn claimed as far as Fenicks's Inlett, near Fenicks's Island, near which

Inlett, at a place called Inlopen, or Hinlopen, he then heard there had been a standard or post put up."

Page 669:

" David Hazard, of Maryland, Planter, aged 73.

" And this Deponent further saith, that it has been rumoured, as long as he can remember, that there was a tree on Fenick's Island, in which there were brass nails drove, as it was said by some Dutch who landed there and claimed it as their land; and that he was told by an antient man, of good credit, named Hugh Tingle, who lived within a mile or two of Fenicke's Island, aforesaid, that the said nails were drove into the said tree in the form of a horse shoe, but does not remember that the said Tingle said he ever saw the said tree.

" And further saith, that he has heard that Fenicks's Island had been called the False Cape, and by some other names that he does not now remember."

Page 670:

" John Prettyman, aged 62.

Deponent believes Sussex County "extended about 12 miles to the Southward of Indian River, and the reason he has for such belief is that his father about 43 years ago removed from Virginia and came into the Inlett near Fenicks's Island, and loaded his goods upon the same Island; and that he this Deponent resided on the said Island and in the neighbourhood thereof for a month or six weeks and heard the antient people who lived there say that they lived under the Government of Mr. Penn, and that the Dutch had formerly nailed a brass or copper plate on a tree or post in the said Island, which was then looked upon as the Bound between Penn and Baltimore, and that the said Fenicks's Island was then generally called Cape Hinlopen or Inlopen."

Page 671:

" Woodman Stockley, aged 53.

" Deponent further saith, that, when he was young, people used to call the Island, now called Fenicks's Island (which

is upward of 20 miles to the Southward of the Cape, at the mouth of Delaware Bay, and to the Southward of Indian River aforesaid,) Cape Henlopen, and then called the Cape, on the South side of the mouth of the said Bay, Cape Inlopen."

Page 672:

"John Anderson.

"Charles Bright told Deponent that the boundaries of Penn's land was at Cape Henlopen, on Fenicks's Island, and that he the said Charles Bright had lived on Rumney Marsh, near Fenicks's Island aforesaid, some years, and had frequently seen the said boundary, which was engraved with brass, and that he had often seen and knew the line that run from the said Boundary, which was West, and that the said Charles Bright then desired this Deponent to take notice of what he had said."

Page 672:

"Brickurs Townsend, of Maryland, aged 33.

"That the Deponent has heard his father say, that old Hugh Tingle told him, there was a tree on Fenwicks's Island, which had eight Brass Nails drove in it, and was supposed to be a boundary of the land to take up the Country. That he knows a place, on Fenwicks's Island, to the Southward of Indian River, which he has commonly heard called Cape Hinlopen."

Page 673:

"James Sangster, aged 58.

"That as he was travelling up from Virginia hither (to Maryland) with his mother, she shewed him a marked tree, near an Indian Town, at the head of a Creek called Asswaman, which empties itself into a small bay or sound a little to the Northward of a place called Fenicks's Island, and said, that was a Boundary between Maryland and Pensilvania."

Page 675:

"James Sangster, aged 58.

Testifies to appearances of Fenwick's Island at a distance similar to preceding.

“That he formerly followed whaleing and thereby became acquainted with the Sea Coast, from the entrance of Delaware Bay down to the Southward of Fenicks’s Island, but has never been very far in the sea from it; that he observed in foggy weather, at sea the said Island had the appearance of a cape, which, as he apprehends, is occasioned by Assawaman Sound, which joins to it, but as it is approached nearer, it alters its form and does not appear to be a cape; that he has heard that Fenicks’s Island aforesaid, at the first settlement on Delaware Bay, was called Cape Henlopen, and that it has been called by one or other of those names ever since, which Island he apprehends, lies 30 miles Southward of the Southern Cape at the mouth of Delaware Bay.”

Page 675:

“William Burton, of Maryland, aged near 62.

“That he has never been at sea, but has been in a high wood of about 100 acres on Fenicks’s Island, and on the sea coast, which he has been informed by sailors has the appearance of a cape from the Sea, but as it is approached, that appearance vanishes, and there is no cape at all; that it is by some people called the False Cape and by others Fenicks’s Island; he never heard it called by any other name until he saw the printed map, mentioned in the late agreement, between the Proprietors of Pensilvania and Maryland, by which it is called Cape Hinlopen.”

Page 691:

“Boudoin Robins, of Maryland, aged 34.

“Knows the places on the sea-coast called Indian River and Phenix’s Island.”

Page 692:

“John Miller, of Maryland, aged 44.

“Is acquainted with Phenix’s Island.”

Pages 695, 696, 706, 729, 778, 780, 781, 784, 785, 788, and 789 incidentally mention Fenwick’s Island.

Lippincott’s “Pronouncing Gazetteer of the World:”

“Fenwick’s Island, off the east coast of Maryland,

Worcester Co., 20 miles south of Cape Henlopen, in lat. 38° 27' 1" N., lon. 75° 2' 59" W. It has a light-house."

"At the Court of Common Pleas held in Lewes, Sussex county May 6th 1707 before Thomas Fisher, Joseph Booth, Jonathan Bailey, James Russel and William Bagwell, Esqrs Justices of said court Thomas Fenwick appeared in open court and acknowledged and made over for the use of the Presbyterian professors for a Meeting House, School House and burial place a parcel of land in the town of Lewes between the county road and the road that goes to Mr. Samuel Davis' plantation, on the Hill, containing one hundred foot square according to a deed of settlement bearing date May 6th inst." (Records at Georgetown.)

His will is dated March 22, 1708, and was probated May 1, 1708, consequently he died in the interval. His place of burial is unknown, although it is assumed it was in the vicinity of Lewes.

The writer has been informed that there was a graveyard upon Fenwick's Island, now overgrown with trees, and that about seventeen years ago the remains of six persons were found, but no tombstones; possibly Thomas Fenwick and his family were buried there.

The will of Thomas Fenwick is recorded at Georgetown, Delaware, Liber A, folio 77, as follows:

"In the name of God Amen the twenty second day of March the seventh year of the Reign of our Sovereign Lady Anne Queen over England &c An<sup>o</sup> Dom seventeen hundred eight I Thomas Finwick of Sussex County on Delaware being sick and weak of body but of sound and perfect mind and memory thanks be therefore given unto God and calling unto mind the mortality of the body and that it is appointed for all men once to die do make and ordain this my last will and testament that is to say first and principally I give and recommend my soul to the hands of God that gave it hoping through the merits death and passion of Jesus Christ my Saviour and Redeemer to have full and free

pardon and remission of all my sins and as for my body I recommend it to the Earth to be buried in a Christian like and decent manner at the discretion of my Executors hereafter nominated nothing doubting but through the mighty Power of God but I shall receive the same at the General Resurrection and as touching such worldly estate as it hath pleased God to bless me with in this life I give devise dispose of the same in the following form. Item I will and ordain that my funerall charges and all the just and lawful debts that I owe be discharged and payed. Item I give and bequeath to my son James Finwick and his heirs forever all my whole estate real and personall goods chattels stuff lands debts negroes tenements messuages and implements whatsoever by him freely to be possessed and enjoyed excepting so much as shall be nominated hereafter in this present writing. Item I give unto Jacob Kollock and his heirs forever the house and lotts belonging to the said house as per Bargain may appear. Item I give and bequeath to Edward Stretcher and Robert Clifton and their heirs forever all that parcell of land between John Hepburn's and Jacob Kollock's fence with the half of the Savanna belonging to me next to Lewis Town.

Item I will and ordain that the rest of the lots and the land formerly allotted for a street joining to it next John Paynter's be sold at the discretion of my Executors. Item I give and bequeath to Edward Stretcher and his wife Margaret Stretcher my daughter and their heirs forever six acres of land on Paton's Branch that I bought of Richard Paynter which the said Richard is to make over to them viz: the said Edward and Margaret his wife. Item I will and ordain that Edward Stretcher Live on and manage my plantation untill such time as my son James comes to age he being now thirteen years last August and that my said son have his choice to live with the said Edward or either of my Executors. Item I give and bequeath unto my said daughter Margaret Stretcher and her heirs all my spining

wheels cards and utensils and her choice of my beds. Item I give and bequeath to my daughter Anne Clifton my sea bed. Item I give to Margaret Hepburn and her heirs my old horse Lodge and four barrels Indian Corn or the value of the Corn. Item I give and bequeath to my grandson Thomas Clifton and his heirs the half of the mares with encrease belonging to me that run on the Island. I give and bequeath to my granddaughter Sarah Clifton and her heirs my silver baker and I make leave constitute and ordain M<sup>r</sup> Samuel Davis and John Hepburn my only and sole Executors of this my last will and testament and I do hereby utterly disallow revoke and disannul all and every other former wills testaments legacies requests and Executors by me anyways made named willed or bequeathed ratifying and confirming this and no other to be my last will and testament. In witness whereof I have hereunto set my hand and seal the day and year above written.

THOMAS FINWICK [SEAL]

Signed sealed and  
delivered in presence of  
PHILLIPS RUSSELL }  
JOHN COE            }  
JOHN HEPBURN }

Know all men by these presents that whereas I Thomas Finwick have made and declared my last will and testament as above in writing bearing date as above the said Thomas Finwick do codicill confirm and ratifie my said will and testament and do give and bequeath unto my above said daughter Margaret Stretcher my youngest negro girl during the said Margaret Stretcher's life and the heirs of her own body then to her heirs forever and if not heirs of her body then the said negro girl to be returned to my heirs at the death of my said daughter Margaret Stretcher and my will and meaning is that this codicil or schedule be and be adjudged to be part and parcel of my said last will and testa-

ment and that all things herein contained and mentioned be faithfully and truly performed and as fully and amply in every respect as if the same were so declared and set down in my said last will and testament. In witness whereof I do hereunto set my hand and seal the twenty eighth day of March 1708.

THOMAS FINWICK [SEAL]

Signed sealed and delivered

in presence of

PHILLIPS RUSSELL }  
JOHN COE            }  
JOHN HEPBURN       }

May the first, 1708, the above and within will was proved approved and insinuated by the oath and attest of Phillips Russell John Coe and John Hepburn the evidence subscribing to the said will before us Deputy Registers appointed for that purpose who thereupon say that they saw the testator sign seal and deliver publish and declare the same to be his last will and testament and that to the best of their knowledge he was of a sound disposing mind and memory.

JOHN HILL  
JONATHAN BAILY

Signed by our Teste,

ROGER CORBETT Clk ibire"

Thomas Fenwick and Mary his wife had issue:

2. Margaret, m. Edward Stretcher. For account of their descendants see "Stretcher Family."
3. Anne, m. Robert Clifton. Issue:
  - 3<sup>a</sup>. Thomas.
  - 3<sup>b</sup>. Sarah.
4. James.

II. 4. JAMES FENWICK, son of Thomas Fenwick (1) and Mary his wife, was born, probably, at Lewes, Sussex County, Delaware, August, 1695, according to the statement in his

father's will, in which James is mentioned as thirteen years old August, 1708; he married Sidney (surname unknown); he is also said to have married a Nancy Fisher, which has not been corroborated; the former wife is mentioned in his will and appears to have been the mother of all his children. James Fenwick inherited the bulk of his father's realty and disposed of most of it during his life. The following conveyances are recorded at Georgetown, Sussex County, Delaware:

Liber A, folio 239. 1719. James Fenwick to John Shankland; Liber F, folio 12, 1719, to same; folio 16, 1722, to Miers; folio 17, 1722, to Palmone; folio 29, 1722, to Royal, et al.; folio 32, 1722, to Simon Kollock; folio 33, 1722, to same, et al.; folio 77, 1722, to Woodward; folio 106, 1722, to Eldridge; folio 144, 1722, to Chambers; folio 253, 1723, to Roger train; folio 273, 1723, to Philip Russell; Liber F, folio 202, 1723, to same; Liber G, folio 124, 1732, to Bywater.

James Fenwick died in the interim between the date of his will and its probate, Dec. 21, 1732, and Jan. 13, 1732. His will, recorded at Georgetown in Liber A, folio 290, is as follows:

"In The Name of God Amen the twenty first day of December Anno Dom one thousand seven hundred and thirty two I James Finwick of the County of Sussex on Delaware being sick of body but of good and perfect memory thanks be to Almighty God and calling to remembrance the uncertain estate of this transitory life and that all flesh must yield unto death when it shall please God to call do make and declare this to be my last will and testament in manner and form following: First being penitent and sorry for all my sins most humbly desiring forgiveness for the same I commend my soul unto Almighty God my Saviour and Redeemer in whom and by whose merrits I trust and believe assuredly to be saved and to have full remission and forgiveness of all my Sins and to inherit the Kingdom of

Heaven and my body I commit to the Earth to be decently buried at the discretion of my Executors hereafter named and for the Settling the temporal estate and such goods chattels and debts as it hath pleased God to bestow upon me I order give and dispose of the same in manner and form following.

*Impr<sup>s</sup>* I give and bequeath unto my three sons Thomas Finwick William Finwick and James Finwick and to their heirs and assigns forever a certain peace of land including the waterry Savanna to be equally divided amongst them which said land is entered in the Surveyor's Book of this County in my name and Matthew Dowling's but since I have purchased the said Dowling's right recourse being had to the Surveyor's Book may more large appear.

*Item* I give and bequeath unto my well beloved wife Sidney Finwick and my two daughters Mary Finwick and Sidney Finwick and to their heirs and assigns forever my plantation whereon I now dwell with all the land and improvements thereunto belonging to be equally divided amongst them. Likewise I give and bequeath unto my well beloved wife Sidney Finwick and to my two daughters aforementioned all the residue of my estate both real and personal to be equally divided amongst them and to be held and enjoyed by them and their heirs forever. The true intent and meaning of this my last will and testament is that my wife and daughters aforementioned shall go to all charges in making or causing to be made a sufficient right to my three sons above mentioned to that land including the waterry Savanna above mentioned which if they do they hold their legacies, otherwise if it cannot be done all my estate above mentioned both real and personall shall be equally divided amongst my five children above mentioned excepting my wife's thirds to be held and enjoyed by them and their heirs forever.

And I hereby make and appoint my well beloved wife Sidney Finwick full and sole Executrix of this my last will

and testament hereby revoking disannulling and making void all former wills and bequests by me made and declaring this only to be my last will and testament. In Witness whereof, I have hereunto put my hand and seal the day and date first within written.

Signed Sealed published }      JAMES FINWICK [SEAL]  
pronounced and declared }  
in presence of }

DAVID MACKKLAIN

HENRY MARTIN

JABEZ MAUD FISHER

SUSSEX 1st

Memorandum this 13<sup>th</sup> day of January 1732 the above David Mackklain and Henry Martin two of the witnesses to the within will subscribing appeared before me Jacob Kollock Dp Reg<sup>r</sup> appointed for Probate of Wills and granting L<sup>rs</sup> of Administration for the County of Sussex afs<sup>d</sup> and on their oaths did declare that in their sight presence and hearing the testator James Finwick did sign seal publish pronounce and declare the within writing to be his last will and testament and that at the doing thereof the said testator was of a sound and perfect disposing mind memory and judgment and also that they saw Jabez Maud Fisher sign with them as an evidence to the same.

Test JACOB KOLLOCK."

James Fenwick's wife Sidney survived him many years; she died in the interim of the date of her will and its probate, April 3, 1766, and July 15, 1766. Her will is recorded at Georgetown in Liber B, folio 304:

"In The Name of God Amen: the 3<sup>d</sup> day of April Anno Domini one thousand seven hundred and sixty six I Sidney Finwick of Sussex County upon Delaware being very weak and sick in body but of perfect mind and memory thanks be given unto God for it and calling unto mind the mortality of my body and knowing that it is appointed for all flesh

once to die do make and ordain this my last will and testament. Principally and first of all I recommend my soul unto the hands of God that gave it and my body to be buried in a decent Christian manner at the discretion of my Executor or Executrix hereafter named and as for such worldly estate wherewith it hath pleased God to bless me with in this life I give devise and dispose of the same in the following manner and form, viz; it is my will and I do order that in the first place all my just debts and funeral charges be paid and satisfied.

*Imprimis* I will and bequeath unto my loving son William Finwick the sum of five shillings to him his heirs & assigns forever.

*Item* I give and bequeath unto my loving daughter Mary Skidmore one third part of all my real estate of lands and likewise one third part of all my moveable estate freely to be possessed and enjoyed and her heirs and assigns forever.

*Item* I will and bequeath unto my loving grand-daughter Jean Skidmore another third part of all my real estate of lands and likewise a third part of my moveable estate freely to be possessed and enjoyed by her and her heirs and assigns forever.

*Item* I will and bequeath unto my loving grand-daughter Mary Skidmore the other third part of my real estate of land and likewise the residue of my moveable estate freely to be possessed by her and her heirs and assigns forever.

And likewise constitute and appoint my dearly beloved daughter Mary Skidmore to be my whole and sole Executrix of this my last will and testament disannulling all other former Wills and bequeath Executor and Executrix ratifying and confirming this and none other to be my last will and testament

Sign'd seal'd published and pro- } SIDNEY FINWICK [SEAL]  
nounced by Sidney Finwick to }  
be her last Will and Testament }

ELISHA KNOX THOMAS NOUTTON his mark.

Memorandum This fifteenth day of July 1766 the within Elisha Knox and Thomas Noutton the two witnesses to the within will subscribing appeared before me Jacob Kollock Reg<sup>r</sup> appointed for the probate of wills and granting letters of administration for the County of Sussex on Delaware and being duly qualified on the Holy Evangelists of Almighty God did severally declare that in their sight presence and hearing the testatrix Sidney Finwick did sign and acknowledge the within writing, but as to her being in her perfect understanding they would not give a direct answer and that they and each of them subscribed the same as evidences at request and in presence of testatrix

Test JACOB KOLLOCK Reg<sup>r</sup>."

It will be observed that the testatrix adheres to the same spelling of the surname as her husband. As she mentions only two of the children referred to in her husband's will, it is probable that the others had died.

James Fenwick and Sidney his wife had issue:

5. Thomas.

6. William.

7. James.

8. Mary, m. — Skidmore and had issue:

8<sup>a</sup>. Jean.

8<sup>b</sup>. Mary.

9. Sidney.

III. 6. WILLIAM FENWICK, son of James Fenwick (4) and Sidney his wife, was born at Lewes, Sussex County, Delaware, Sep. 19, 1727; m. Tabitha Dodd; d. Jan. 24, 1793. There are two conveyances by him recorded at Georgetown, Sussex Co., Del., Liber I, folio 362, 1762, to Train; Liber B. O, folio 209, to Dougherty. William Fenwick m. secondly, Agnes —.

Issue by first marriage:

10. David, m. Anna Barr.

11. James.

12. William.
13. Joseph.
14. Agnes, m. Samuel Blizzard.
15. Ruth, m. Isaac Townsend.
16. Sarah, m. Thomas Holsten.

Issue by second marriage:

17. Gideon.

IV. 11. JAMES FENWICK, son of William Fenwick (6) and Tabitha Dodd his wife, born in Sussex County, Delaware; m.<sup>t</sup> Nancy Hart. Issue:

18. Elizabeth.
19. William.
20. Sophia.
21. David.
22. Matilda.
23. Mary.
24. Lida.
25. James.
26. Andrew.
27. Nancy.
28. Tabitha.
29. John.
30. Abigail.

IV. 12. WILLIAM FENWICK, son of William Fenwick (6) and his wife Tabitha Dodd, b. at Lewes, Sussex Co., Del., Dec. 18, 1779; m. Amelia Hart; moved to Ohio 1815; d. Dec. 27, 1874. She was b. in Sussex Co., Del., May 12, 1810. They had issue:

31. David.
32. John.
33. James, m. Marinda Sloan. Issue:
  - 33<sup>a</sup>. Minnie B.
  - 33<sup>b</sup>. Lucy.
34. Russell.

35. Tabitha.
36. Amelia.
37. Joseph.

V. 31. DAVID FENWICK, son of William Fenwick (12) and Amelia Hart, m. Eliza M. Gregg. He was Sheriff and Treasurer of Highland County, Ohio. Issue:

38. William G., m. Anne O. Wilson. Issue:
  - 38<sup>a</sup>. Genevra.
  - 38<sup>b</sup>. Earl S.
  - 38<sup>c</sup>. Leontine.
  - 38<sup>d</sup>. Aleida.
39. George Stanley, m. Rose Kayser.

V. 34. RUSSELL FENWICK, son of William Fenwick (12) and Amelia Hart, m. first, Margaret Sloan; second, Katherine E. Cornetet. Issue by first marriage:

40. Helen M.
41. Serena.

Issue by second marriage:

42. May, m. Anthony P. McFadden. Issue:
  - 42<sup>a</sup>. Eleanor Lee.
43. James W., m. Ella C. Roberts. Issue:
  - 43<sup>a</sup>. Hazel Eletha.
  - 43<sup>b</sup>. Glen W.
  - 43<sup>c</sup>. Ruth May.
  - 43<sup>d</sup>. Howard James.
44. John M., m. Ollie F. Robinson. Issue:
  - 44<sup>a</sup>. William Ray.
  - 44<sup>b</sup>. Lucy Bell.
  - 44<sup>c</sup>. Minnie Elizabeth.
45. Edward J., m. Emma S. Christman. Issue:
  - 45<sup>a</sup>. Floyd Russell.
46. George W.
47. Lida M.
48. Mollie O.

V. 35. TABITHA FENWICK, daughter of William Fenwick (12) and Amelia Hart, m. Henry Bingaman. Issue:

- 49. William.
- 50. Serena Ann.
- 51. Nancy Ellen.
- 52. Permelia.
- 53. John D., m. Lucinda Benington. Issue:

- 53<sup>a</sup>. Daisy.
- 53<sup>b</sup>. Nettie.
- 53<sup>c</sup>. Ivy M.
- 53<sup>d</sup>. George.
- 53<sup>e</sup>. Gertie.

- 54. David F., m. Hannah Boyd. Issue:
- 54<sup>a</sup>. Cornelius.
- 54<sup>b</sup>. Jennie.
- 54<sup>c</sup>. Bert.
- 54<sup>d</sup>. Walter.

- 55. Mary C., m. McAdoo Robinson. Issue:
- 55<sup>a</sup>. Myrta.
- 55<sup>b</sup>. Effie J.
- 55<sup>c</sup>. Sophia.
- 55<sup>d</sup>. Frank.

V. 36. AMELIA FENWICK, daughter of William Fenwick (12) and Amelia Hart, m. Joseph Roberts. Issue:

- 56. Helen.
  - 57. Thomas, m. 1<sup>st</sup> Hannah Thornburg; 2<sup>nd</sup> —.
- Issue by first marriage:
- 57<sup>a</sup>. Irving.
- Issue by second marriage:
- 57<sup>b</sup>. Millard.

IV. 17. GIDEON FENWICK, son of William Fenwick (6) and Agnes —, b. Feb. 16, 1787, at Lewes, Sussex Co., Del.; m. Naomi, dau. of James and Naomi Gordon; she was b. Dec. 29, 1791. They had issue:

58. James G., b. Jan. 28, 1817; d.
59. Eliza A., b. Aug. 2, 1818; d.
60. Mary J., b. Feb. 16, 1822; d.
61. Emily O., b. July 23, 1824; living at Lewes, Del.
62. William D., b. Aug. 20, 1828; d.
63. John P., b. May 28, 18 ; d.
64. Gideon W., b. Nov. 24, 1833; m. Lovella C. Kay; she was b. Oct. 28, 1846. Issue:
  - 64<sup>a</sup>. Francis E., b. Feb. 23, 1865.
  - 64<sup>b</sup>. Edwin T., b. Dec. 22, 1866.
  - 64<sup>c</sup>. Harry E., b. July 2, 1869.
  - 64<sup>d</sup>. Mary I., b. Sep. 19, 1871.

# Davis

I. 1. THOMAS DAVIS was born the early part of the seventeenth century but where is unknown. Neither has it been definitely settled when he came to Virginia, although he was there, at least, as early as 1663. He received land for transporting eight persons into the colony, one of whom, it is assumed, was himself. The following is recorded at the Land Office at Richmond, Virginia, in Liber V, folio 604:

“ To all &c Whereas &c now know ye that I the said Sir William Berkeley Knight Governor &c give and grant unto Thomas Davis, four hundred acres of land, situate on the south side of Pocomock River in the County of Accomack: Beginning at a branch called Davis's branch, and bounded on the Eastern part of the said branch on the Northern by Pocomock River on the Western by a line of marked trees running from the said Pocomock River south forty three poles to a corner tree marked, thence for the southern bounds East two hundred and one poles unto a Valley of the said Davis's branch. The said land being due by transportation of eight persons &c. To have and to hold &c To be held &c Yeilding and Paying &c Provided &c Dated the fifth day of April one thousand six hundred and sixty six.”

Land Office, Annapolis, Maryland. Liber XVIII, folio 18:  
“ Thomas Davis | On the Backside of a Patent Granted  
400 Acres. | Thomas Davis by the Honble Sir William  
Berkley, Capt. Generall of Virginia bearing date the 5th of  
April 1666 for four hundred acres of Land, Situate on the  
South side of Pocomock River in Accomack County, Begin-

ning at a Branch called Davis his branch and bounded on the Eastern part by the said branch on the Northern by Pocomock River, on the Westerne by a line of marked Trees Running from the said Pocomock River three and forty pole to a corner Tree marked thence for the Southerne bounds, East two hundred and one poles unto a valley of the said Davis's branch was written thus :

Lett Thomas Davis (making good Rights for the four hundred acres menconed in this Patent) have Patent out of the office for the same Given under my hand this 14th of May 1674

CHARLES CALVERT

March 23th 1673."

Liber XVIII, folio 200 :

"Thomas Davis | CECILIUS absolute Lord and Proprie-  
Patt 400 Acres. | tary of the provinces of Maryland and  
Avalon Lord Baron of Baltemore &c. To all persons to  
whom these presents shall come Greeting in our Lord God  
everlasting. WHEREAS by Certain Articles of agreement  
bearing date the twenty-fifth day of June one thousand six  
hundred sixty-eight Between our Dear Brother Phillip Cal-  
vert Esq Chancellor of our said Province of Maryland of the  
one part and Colonell Edmond Scarborough Surveyor Gen-  
erall of Virginia of the other part at and upon the Laying  
out the bounds and running the Divisionall line between  
Maryland and Virginia from Watkins point on the Easterne  
Shoare of Chesapeake bay to the Sea Side, It was Cove-  
nanted and agreed that all persons who have surveyed and  
already Patented any lands in Right of Virginia which are  
now fallen into the Divisional line and are appertaining unto  
our said Province should enjoy the said lands provided they  
Sued out their Pattents from us and made good their Rights  
to such lands within seven years and pay the whole fees  
due to our Dear brother our Chancellor aforesaid and the  
Secretary of our said Province and the half fees due to  
the Surveyor Generall of our said Province for the said  
Patents.

And whereas also Thomas Davis had granted unto him under the Seale of the Collony of Virginia bearing date the sixth day of April one thousand six hundred sixty-six four hundred acres of land situate on the South side of Potomacke River which is now fallen into the Divisionall line and Thomas Davis having made good Rights for the same quantity.

Now Know ye that we for and in consideration of the said Articles hereafter to be by him the said Thomas Davis on his part performed and upon such conditions and Termes as are expressed in our conditions of plantacon of our said Province of Maryland under our Greater Seale at Armes bearing date at London the second day of July in the year of our Lord God one thousand six hundred forty-nine with such alteracons as in them is made by our Declaration bearing date the two and Twentieth day of September Anno one thousand six hundred fifty-eight and remaining upon Record in our said Province of Maryland.

Do hereby Grant unto him the said Thomas Davis all that parcell of Land, Lying in Somerset County on the South side of Potomacke River, Beginning at a branch called Davises branch and bounded on the Easterne part by the said branch on the Northerne by Potomacke River on the Westerne by a line of marked Trees running from the said Pocomoke River three hundred and forty perches to a Corner Tree marked thence for the Southerne bounds East two hundred and one perches unto a valley of the said Davises branch, Containing and now laid out for four hundred acres more or less, Together with Rights profits and benefits thereunto belonging Royall mines Excepted, To have and to hold the same unto him the said Thomas Davis his heirs and assigns forever To be holden of us and our heirs as of our manor of Somersett in fee and common Soccage by fealty only for all manner of services Yielding and paying therefore yearly unto us and our heirs at our receipt at our City of St. Mary's at the two most usuall

feasts in the year Viz: at the feast of the feast of the Annunciation of the Blessed Virgin Mary and at the feast of St. Michaell the Arch Angell by even and equal porcons the Rent of eight Shillings Sterling in Silver or Gold, And for a fine upon every Alienation of the said Land or any part or parcell thereof one Whole years Rent in Silver or Gold or the full value thereof in such Commodities as we or our heirs or Such Officer or Officers appointed by us and our heirs from time to time to collect and receive the same Shall accept in discharge thereof at the choice of us and our heirs or Such Officer or Officers as aforesaid. Provided that if the said Thomas Davis his heirs or Assigns shall not pay unto us and our heirs or such Officer or Officers as aforesaid the said sum for a fine before such Alienacon and enter the said Alienation upon record either in the Provincial Court or in the County Court where the said parcell of land lyeth within one month next after such Alienacon made the said Alienation shall be void and of none Effect.

Given at our City of St. Mary's under our Great Seale of our said Province of Maryland the fifth day of October in the 43th year of our Dominion over our said Province Anno Domini 1674.

Witness our Dear Son Charles Calvert Esq our Capt. Generall and Chief Governour of our said Province of Maryland."

Proceedings of the Circuit Court for Somerset County, Md.  
Liber D. T., No. 7, folio 80:

Jan. 10, 1670, Thomas Davis was sued by Thomas Rydings upon a promissory note dated July 13, 1663, for 450 lbs. tobacco. The suit was continued.

Folio 37:

Nov. 8, 1670, publication of the marriage banns of Thomas Davis and Judith Bost.

Liber A. Z., folio 30:

Nov. 20, 1671, bill of sale from Thomas Davis to Robert Cathin of a heifer.

## Folio 138:

June 11, 1672. Thomas Davis acknowledges the sale of a horse to Humphrey Davis. (No relationship is known.)

The first reference to Thomas Davis in Sussex County, Delaware, is recorded at Dover in "The York Records," folio 240:

Patent from Governor Andros to Thomas Davis of 300 acres called "Good Luck," situate in Cedar Creek, west side of Delaware Bay. The date is left in blank.

## Folio 241:

Patent from same to same for 500 acres situate on the East side of Maspillin Creek. The date is also in blank.

Scharf's "History of Delaware," page 1202, mentions Thomas Davis in a list of the settlers at the Whorekill in 1677, in which he is credited with 300 acres, and in another list of 1678 he is credited with an additional 500; it is assumed that the previous patents are referred to.

Deeds recorded at Princess Anne, Somerset Co., Md.

## Liber W. W., folio 281:

"Know all men by these Presents that I, Thomas Davis, of the whore kill, have Constituted . . . George Horsford to be my true and Lawfull Attorney . . . in open Court for Somerset County . . . to Acknowledge and Confirme . . . unto Robert Blades and John Upshott, Both of the County aforesaid . . . a Parcell of Land Lyeing on the South Side of Pocomoke river near James Hinderson which Thomas Davis Tooke up, . . . In Confirmation . . . I have hereunto put my hand and fixed my seal this the 5 of february Annoque Domini one thousand Six hundred seaventy Seaven

THOMAS DAVIS [SEAL]"

## Liber M. A., folio 458:

"This Indenture made the thirteenth day of April in the fifth year of the Dominion of the R<sup>t</sup> hon<sup>e</sup>ble Charles absolute Lord and Proprietary of y<sup>e</sup> Provinces of Maryland and Avalon Lord Baron of Baltemore &c and in the year of our

Lord God one thousand six hundred and eighty Betweene  
Thomas Davis of Somersett County in the Province of  
Maryland and Judith his wife of the one Part And Robert  
Blades of the said County of Sommersett and Province of  
Maryland planter of the other part witnesseth that whereas  
the R<sup>t</sup> hon<sup>e</sup>ble Caecelius of noble memory by his deed of  
Grant under the great seale used in the said Province of  
Maryland for granting of Land there bearing date at S<sup>t</sup>  
Maries the fifth day of October in the xxxxij<sup>th</sup> year of his  
Dominion over Maryland &c Annoq Domini one thousand  
six hundred Seaventy four for the Consideration therein  
mentioned Did grannt unto the said Thomas Davis All that  
Parcell of Land Lieing in Sommersett County on the South  
side of Pocomoke river . . . containing fower hundred  
Acres more or Lesse . . . Now this Indenture further witt-  
nesseth that the said Thomas Davis and Judith his wife for  
and in consideration of four thousand pounds of tobacco to  
them in hand paid by the said Robert Blades . . . And  
Lastly they the said Thomas Davis and Judith his wife Doe  
by these Presents . . . appoint George Hasfurt of Somer-  
sett County in the Province of Maryland Chirurgeon their  
true and Lawfull Attorney . . . to acknowledge the said  
ffower hundred Acres of Land . . . to . . . the within  
named Robert Blades before two or more of his Lopp<sup>r</sup>  
Justices of the peace for the County of Sommersett in the  
Province of Maryland . . . In confermation and full Assur-  
ance of the Truth above written the said Thomas Davis and  
Judith his wife to these Present Indenture have put to their  
hands and fixed their seales the day and yeare first above  
written

Signed Sealed & delivered  
in the preusence of us

THOMAS DAVIS [SEALE]  
JUDITH DAVIS [SEALE]

LUKE WATTSON

JOHN ROADES

Memorandum that this day to witt the eleventh day of  
october one thousand six hundred and eighty before m<sup>r</sup>

Luke Wattson and m<sup>e</sup> John Roades Chiefe Justices of those Parts at the whore kills and adjacent Pleaces came Thomas Davis and Judith his wife parties to the within written Indentures . . . And the said Judith being by the said Justices ALoud and secretly examined Did acknowledge the ffower hundred Acres of Land . . . to be the right of him the said Robert Blades . . . Taken before us the day and year aforesaid.

LUKE WATTSON

JOHN ROADES

George Hasfurt Chirurgean appeared before William Stevens and Thomas Newbold two Justices of the Peace for Somerset County on 11<sup>th</sup> April 1681 and acknowledged the above deed as Attorney for Thomas Davis and Judith his wife."

Thomas Davis survived his wife, it is assumed, as her name is not mentioned in his will. It is not known when he died nor where he was buried. His will is recorded at Georgetown in Liber A, folio 27, as follows:

"In the Name of God Amen I Thomas Davis Sen<sup>r</sup> in the County of Sussex in the Teritories of the Province of Pennsylvania being very sick and weak in body but of good and perfect memory thanks be to Almighty God and calling to remembrance the uncertain estate of this transitory life and that flesh must yeald unto death when it shall please God to call doe make constitute ordain and declare this my last Will and Testament in manner and form following Revoking and annulling by these Presence all and every Testaments and Testament Will and Wills heretofore by me made and declared either by word or writing and this to be taken onely for my last Will and Testament and none other and first being penitent and sorry from the bottom of my hart for all my sins past most humbley desire forgiveness for the same. I give and commit my Soul unto Almighty God my Saviour and Redeemer in whome by the merrits of Jesus Christ I trust and beleave assuredly to be saved and to have full remission and forgiveness of all my sins and that my

soul with my body at the generall day of Resurrection shall rise again with joy and through the merrits of Christ's death and passion pofsess and inherit the Kingdom of Heaven prepared for his Elect and Chosen and my body to be buried in such place as my Executors shall seem meet hereafter named and now for the Settling of my Temporall estate and such Goods Chattles and Debts as it hath pleased God fare above my disarts to bestow upon me, I doe order give and dispose the same in manner and form following that is to say :

First, I will that all those Debts duties as I owe in right or conciance to any manner of person or persons whatsoever shall be well and truly contented and paid within convenient time after my decease by my Executors hereafter named.

*Item*, I give and bequeath unto my well beloved sons Thomas Davis and Richard Davis the neck of Land which I am seattled on formerly called Davises Neck with all the appurtinances thereunto belonging forever each Son to have their equall part of the aforesaid Neck and to have there benefit proportionable in the plantation alike while such time as please God they shall be capable to devide their part equally between them and their heirs forever which I accordingly give to them and their heirs forever and if pleas God either of my sons Thomas or Richard should die before they come to mans estate or without lawfull issue of their bodeys then I will and desire that my other three sons hereafter named shall equally have that part between them and their heirs forever divided between them.

*Item*, I give and bequeath to my other four sons Robert Davis, John Davis, Samuel Davis and Benjamin Davis the other part of my Land or neck formerly called the Low House Neck to them and their heirs forever each of them their part thereof equally devided between them and their heirs forever, Likewise I desire that each of my four sons Robert, John, Samuel and Benjamin, take their parts being

devided as they come to age without murmuring or controversy with each other and if please God either of my sons herein named should die before they attain to age or without lawfull issue then I will and desire that the survivors or longest livers of the aforesaid sons shall injoy proportionably there equall parts thereof.

Lastly, I make and appoint my well beloved Friend M<sup>r</sup> John Nutter and Mr John Hill both of them to my Two Executors to these aforesaid premisces and for the true meaning thereof I have hereunto sett my hand and fixed my seal this Thirteenth day of January one thousand Six Hundred ninety and eight.

Signed and Sealed in the

presence of us,    } THOMAS DAVIS SEN<sup>R</sup> [SEAL]  
 THOMAS TILTON    }  
 WILLIAM STABLETON    }  
 THOMAS PRICE"

The date of probate is not recorded.

It will be observed in the foregoing that none of the sons had attained their majority.

Thomas and Judith Davis had issue :

- 2. Thomas.
- 3. Richard.
- 4. Robert.
- 5. John.
- 6. Samuel.
- 7. Benjamin.

II. 2. THOMAS DAVIS, apparently, the eldest son of Thomas Davis (1) and Judith his wife, was born probably in Somerset County, Maryland, *circa* 1671, as his parents were married the preceding year; he married, *circa* 1700, Mary, widow of Henry Bowman, Jr., of Sussex Co., Del.

Deeds recorded at Georgetown, Sussex Co., Del.

Liber A, folio 192:

Dec. 10, 1694. Conveyance by William Clark, Admin-

istrator of Henry Bowman, dec'd., of 800 acres of land adjoining Deprey's Neck near Cedar Creek.

Liber B, folio 161:

"William Clark, of Sussex County, Delaware, Merchant, administrator of Henry Bowman late of the said County of Sussex deceased . . . in consideration of one hundred and thirty pounds current silver money of province of Pennsylvania to him in hand paid by Thomas Davids of the aforesaid County of Sussex yeoman hath sold . . . unto the said Thomas . . . a certain tract or parcel of land, called Davids farm being part of a tract of Land called Bowmans farms formerly surveyed for and in the posession of the said Henry Bowman deceased situate lying and being on the west side of Delaware bay and on the north side of a Creek called Slaughter Creek in the said County of Sussex . . . containing and laid out for eight hundred acres of land . . . In witness whereof the said William Clark as Adm<sup>r</sup> set his hand & seal first day, fourth month, 1697.

WILLIAM CLARK.

Witnesses:

LUKE WATSON

JOHN HILL

THOMAS OLDMAN."

Liber A, folio 198:

Oct. 4, 1702. Thomas Davis, of Sussex County, Delaware, and Mary his wife, widow of Henry Bowman, Jr., dec'd., conveys to Thomas Tilton, of same place, 127 acres situate at Cedar Creek.

Liber B, folio 191:

"July 26, 1704. Thomas Davis, of Slaughter Neck, Sussex County, Delaware, Planter, conveys to Mark Manlove, of Kent Co., Gen<sup>t</sup>.

Whereas Henry Bowman, late of Sussex County, dec'd., by deed made the tenth day of the third month 1685 and acknowledged and confirmed in open Court held at Lewes

for ye said County of Sussex on ye twelfth day of the said third month according to Law did bargain sell and convey unto Griffith Jones of Philadelphia merchant . . . a certain tract of land plantation houses and appurtenances which he the said Henry Bowman had purchased of and from John Outham of Summerset County in Maryland containing five hundred acres situate lying and being in ye County of Sussex aforesaid on ye South west side of Cedar Creek adjoining to ye land of Alexander Draper and the land that was formerly laid out for Henry Peddington Backward and the said Griffith Jones by his lawful attorney Samuel Preston in open Court held at Lewes af's'd on ye sixth day of March 1699 did assign make over and acknowledge the said five hundred acres of land and premises unto Henry Bowman eldest son of the said Henry Bowman Sr. deceased according to law and for as much as the said Henry Bowman Jr. since deceased in his lifetime by his last will and testament proved and approved according to law bearing date the 19th day of August 1700 did give and bequeath unto ye child that Mary his wife then was with and now the lawful wife of me the said Thomas Davis the one half of ye said land and plantation and if the said child die without issue the whole land plantation to return to ye said Mary my wife and to be disposed as she shall see meat and whereas the said child in its infancy long since deceased Now know ye that I ye said Thomas Davis for and in consideration of the sum of twenty five pounds current money of Pennsylvania . . . paid by Mark Manlove of Kent County in the territories aforesaid gent. . . . Have . . . sold . . . the said five hundred acres of land . . . one hundred twenty seven acres part whereof at ye special order and request of the said Mark Manlove we have already made over and confirmed unto Thomas Tilton . . . in open Court held at the said Lewes for the said County of Sussex the third day of November 1702 . . . In Witness whereof I the said Thomas Davis have hereunto set my hand and seal this twenty sixth

day of July in ye third year of ye reign of our sovereign lady Queen Anne over England and Anno. Dom. 1704

Sealed and delivered                            THOMAS DAVIS [SEAL]

in presence of

JAMES SEATOWN, YEATS CONWELL

NEHEMIAH FIELD."

The dates of the deaths of Thomas Davis and his wife have not been found, nor did they leave any wills. They had issue:

8. Thomas.
9. Nehemiah.
10. Samuel.
11. Mary, m. —— Spencer.

III. 8. THOMAS DAVIS, son of Thomas Davis (2) and Mary his wife, was born, presumably, at Slaughter Neck, Cedar Creek Hundred, Sussex County, Delaware, *circa* 1702; he married in 1726, Katharine, widow of Gabriel Henry. Henry's will, recorded at Georgetown in Liber A, folio 216, is dated April 27, 1726, and was probated May 11, 1726. He is styled of Sussex County and his occupation that of a cooper. He bequeaths to his wife, Katharine Henry, his entire estate and appointed her sole Executrix. His widow married Thomas Davis prior to Oct. 13, 1726, as she appears at that date as his wife in the following deed recorded at Georgetown, Liber F, folio 170:

"I, Katharine Davis, wife of Thomas Davis, in and of the County of Sussex upon Delaware greeting . . . Know ye that the said Katharine Davis for the love and affection that I the said Katharine Davis do bear unto my loving husband Thomas Davis aforesaid, I the said Katharine Davis being in perfect memory have given, granted and confirmed . . . unto my said husband Thomas Davis a certain parcell or tract of land called Susan's Paths being part of a tract of Henry Bowmans land called Bowmans farms situate and being in Slaughter Neck in Sussex County aforesaid . . .

containing and laid out for one hundred acres of land as by the certificate of Survey bearing date the twelfth day of April in the year ninety three last past may appear . . . and I the said Katharine Davis do hereby constitute and appoint . . . my trusty friends Luke Wattson and Andrew Haverloe both of the County aforesaid . . . to be my lawful attorneys . . . to acknowledge . . . this instrument in open Court . . . unto my said husband Thomas Davis . . . In witnesseth whereof I have hereunto set my hand and seal this thirty first day of October in the thirteenth year of the reign of our Sovereign Lord George by the grace of God of Great Brittain and King Anno Dom one thousand seven hundred and twenty six

Sealed and delivered in presence of us

RICHARD DAVIS, LUKE WATTSON

JA WHITE

KATHARINE DAVIS [SEAL]

Sussex County      }  
State of Delaware }      The within written deed . . . was  
[com. SEAL]      acknowledged . . . in open Court . . .  
held . . . November Anno Dom. One thousand seven hundred and twenty six by the within named Andrew Haverloe and Luke Wattson attorneys."

July 25, 1726, Thomas Davis was appointed a Justice. (Scharf's "His. of Del.", p. 133; also Pa. Ar., Sec. Ser., p. 665.)

Deeds recorded at Georgetown, Sussex Co., Del.

Liber F, folio 438:

"Lewes, Apr. 10, 1728. Rec'd. then of William Till, Trustee of the Gen. Loan Office for the County of Sussex upon Delaware, Two hundred Pounds in Bills of Credit of the Counties of New Castle, Kent & Sussex upon Delaware which were paid into the Loan Office much worn & exchanged for new bills according to Law. The said bills were the day above written burnt by us the subscribers being the

Committee appointed for this present year. Witness our hands:

RICHARD HINMAN.

JOHN ROADES.

THOMAS DAVIS."

£ 200.

A similar entry appears upon the same page.

Liber H, folio 153:

" This Indenture made the seventeenth day of April in the third year of our Sovereign Lord George the Second by the Grace of God of Great Britain, France and Ireland, King defender of the faith, Anno Domini one thousand, Seven Hundred and thirty.

Between Thomas Davis, Junr., of the County of Sussex upon Delaware of the one part, and James Haverloe, of the same County, of the other part.

Witnesseth that the said Thomas Davis Junr. and Catherine his wife in consideration of the sum of Forty Pounds current money of America . . . have . . . sold . . . unto the said James Haverloe . . . A certain parcel of land, containing and laid out for one hundred acres of land called "Susan's Paths" being part of a tract of Henry Bowman's land called "Bowmans Farms" formerly purchased by Deed of Sale of Henrick Ahasuerus late of this County of Sussex afsd. dec'd. by Gabriel Henry late of the said County dec'd., and was made over to the said Gabriel Henry . . . in Open Court at Lewes for the County of Sussex afsd. on the eighth day of December Anno Domini One Thousand, Seven Hundred and Ninety-Eight as by the said Deed may at large appear. And I intermarrying with the widow of the said Gabriel Henry who is my wife now at this instant had the said land made over and acknowledged to me from her by deed of Gift in open Court of Common Pleas held at Lewes for the County of Sussex afsd. in November one thousand seven hundred and twenty-six, the said land, lying and being in Slaughter Neck in the County of Sussex afsd. . . . containing and laid out for one hundred acres of land.

In Witness Whereof the said Thomas Davis and Catherine his wife have hereunto set their hands and seals the day and year first above written.

Sealed and Delivered

in presence of

W.M. SPENCER

ABRAHAM PARSLEY

ISAAC WHITE.

THOMAS DAVIS JUNR. [SEAL]

KATHARINE DAVIS [SEAL]

August Term, 1747. }

Sussex on Delaware } The within named Thomas Davis,  
Loco having proved in Open Court that this Deed of  
Com. Sig. Sale from him and his former wife Catherine to  
James Haverloe was duly acknowledged in a  
Court held at the County afsd. the 21st. of April 1730 the  
said Deed being for 100 acres of land in Cedar Creek Hun-  
dred, the Court took the same into consideration and it ap-  
pearing to them that there had been a neglect of the then  
Deputy Clerk in not entering and properly certifying the  
said acknowledgment they ordered this Certificate to be en-  
dorsed and entered in the Books of Acknowledgments this  
sixth day of Augst. 1747.

Test.

R<sup>s</sup> HOLT. Prothon. &c."

Liber G, folio 210 :

Alexander Draper, of Sussex Co., Del., Merchant, conveys  
to Thomas Davis, of same place, yeoman, land in Sussex Co.

Liber G, folio 325 :

"I, Thomas Davis, of the County of Sussex upon Dela-  
ware yeom<sup>m</sup> . . . for . . . ye true love and affection that I do  
bear unto my loving brother Nehemiah Davis of the same  
County yeoman . . . have given . . . unto the said Nehe-  
miah Davis . . . one moiety of all and singular the lands  
and marsh that my late father Thomas Davis of this County  
dec'd died possessed or seized of in this County or else-  
where particularly of two tracts of land situate lying and

being in Slaughter Neck in ye County afsd. one of which was purchased by the said Thomas Davis now dec'd of William Clark late of this County gent. dec'd containing eight hundred acres of land called Davids farm this said William Clark being adminr. of Henry Bowman late of this County also dec'd and the said land was also purchased since by the said Thomas Davis dec'd of a certain John Bowman of this County yeo<sup>m</sup> grandson & heir at law to the afs<sup>d</sup> Henry Bowman as by deed of release may more fully appear the other tract containing one hundred and forty acres of land and marsh was likewise purchased by ye said Thomas Davis dec'd of Alexander and Henry Draper both of this County lately dec'd both which tracts of land the said Thomas Davis dec'd father to ye parties abovesaid dyed possessed of the said two tracts of land joining and lying contiguous to one another were plotted under one and a dividing line equally through both tracts of land and marsh was run out from head to foot or from front to rear by William Shankland, dep'y. survey. of this County. . . . ye said Thomas Davis party to these for the . . . considerations above mentioned give . . . unto the above named Nehemiah Davis . . . all ye land and marsh lying and being on the south side of this New dividing line from head to foot or from front to rear containing three hundred acres more or less. . . . In Witness whereof I the said Thomas Davis have hereunto set my hand and seal this fourth day Anno Dom 1740.

THOMAS DAVIS [SEAL]"

Liber H, folio 151:

"This Indenture, made the sixth day of August in the year of our Lord God one thousand, seven hundred and forty-seven. Between Thomas Davis of the County of Sussex upon Delaware Esq. of the one part and Luke Davis 'yeo' of the same county of the other part.

Witnesseth that the said Thomas Davis in consideration of the sum of Five Pounds current money of Pennsylvania

. . . hath . . . sold . . . unto the said Luke Davis . . . A certain parcel of land situate lying and being in Slaughter Neck in the County of Sussex aforesaid, being part of a greater tract of land belonging to the said Thomas Davis his father and it was part of these lands called 'Bowman's Farms' . . . containing two hundred and fifty-five acres of land. . . .

In Testimony Whereof he hath hereunto set his hand and affixed his seal the day and year first above written.

Sealed and delivered

in the presence of

I<sup>s</sup><sub>A</sub> WHITE

LABAN CARPENTER

MULFORD TENNANT.

THOS. DAVIS [SEAL]"

Liber H, folio 222:

May 29, 1749. Samuel Davis and Mary Spencer, widow, both of Sussex Co., convey to their brother Nehemiah Davis land they inherited from their father, Thomas Davis. Their brother Thomas Davis is mentioned.

The exact date of the death of Catherine, first wife of Thomas Davis, has not been ascertained. April 17, 1730, she joined with her husband in the deed to James Haverloe, previously stated, which is the last appearance of her name; it is quite probable, therefore, that she died shortly after, for Feb. 22, 1736, Thomas Davis' second wife Sarah is referred to in the will of her father, Henry Draper.

Thomas Davis married his second wife Sarah, daughter of Henry Draper and Sarah Kipshaven, prior to 1736, as previously indicated. Her father's will, recorded at Georgetown, Liber A, folio 310, dated Feb. 22, 1736, refers to his "daughter Sarah Davis, the wife of Thomas Davis of this County." (See Draper Family.) His first wife had no children by either husband.

Thomas Davis died between the date of his will and its probate, Jan. 1, 1754, and Oct. 9, 1754. The will is recorded at Georgetown in Liber B, folio 76, as follows:

"In The Name of God Amen: I Thomas Davis of the County of Sussex upon Delaware Gen<sup>t</sup> this first day of Januari in the year of our Lord one thousand Seven hundred and fifty four being sick of body but of perfect mind and memory thanks be given therefore and calling to mind the mortality of my body do make and ordain this my last Will and Testament knowing that it is appointed for all men once to die and principally and first of all I bequeath my Soul unto God who gave it hoping through the merits of Jesus Christ my Saviour to receive the same again at the general resurrection of the just and as touching such worldly estate wherewith it hath pleased God to bless me with in this life I give and dispose of in the following manner and form.

*Impr<sup>s</sup>,* I will and desire that all my just debts and funeral charges which I owe to any man in law equity or conscience be immediately paid and discharged after my decease.

*Item,* I give and bequeath unto my dear and loving wife Sarah Davis the choice of all my horses or horse-kind and her saddle and bridle as a legacy over and above her Thirds of my moveable estate and I also give unto the Executors hereafter mentioned all the profits of my lands for and during the term of five years provided the said Executors shall pay unto the Loan Office the sum of Thirty Pounds or thereabouts and keep the farm whereon I now live undamnified as touching the said Loan Office And further I oblige all concerned not to cut any live timber on either of my Tracts of Land below the Lane Road.

*Item,* I give and bequeath unto my son Isaac Davis all my manor plantation from Isaac Draper's Corner White Oak standing at the head of the branch then going down the middle of the branch until it comes to the old going over from Luke Davises that was and then upon the South side of the branch till it comes down to Isaac Draper's Corner Stake and so all the Land and Marsh on the South side of the flat Inlet keeping a peace of Marsh that I am obliged

to make over to my brother Nehemiah Davis. I give and bequeath unto my son Isaac Davis one half part of all my Marsh in Log-house Neck to him his heirs and assigns forever and also one negro boy named Jacob and also a bed and furniture to him and also a year's schooling.

*Item*, I give and bequeath unto my son Henry Davis all the plantation that I bought of Luke Davis with all the Land and appurtenances thereunto belonging and the other half part or moiety of my Marsh in Log-house Neck to him his heirs and assigns forever and I also give unto him further one negro Boy named Ben and Two Cows and Calves and a bed and furniture and Fifty Pounds current money of Pennsylvania to be paid to him when he shall arrive to the age of twenty years to him his heirs and assigns forever.

*Item*, I give and bequeath unto my daughter Bety Davis one negro Girl named Rachel and a bed and furniture and Two Cows and Calves and Eighty Pounds of current money of Pennsylvania to be paid unto her when she shall come of age or on the day of marriage provided she should marry before she comes of age or in case the negro girl should die before she receives her Thirty pounds shall be paid her in lieu of the said negro Girl Rachel to her her heirs and assigns forever, and also one year's schooling.

*Item*, I give unto my son Henry Davis Two year's schooling before he shall arrive to the age of sixteen.

*Item*, I give and bequeath unto my Three Children Isaac Davis Henry Davis and Bety Davis all the residue of my Estate that is not yet given away to be equally divided among them to them their heirs and assigns forever.

*Item*, I will and desire and hereby nominate and appoint my well beloved wife Sarah Davis and my eldest son Isaac Davis to be my only and Sole Executors of this my last Will and Testament, ratifying and confirming this and no other to be my last Will and Testament And likewise I do hereby nominate and appoint my loving friend Avery Draper to be my only and sole Guardian to my Three

children, viz; Isaac Davis Henry Davis and Bety Davis from the day of my death till they shall arrive to age of twenty years, and further that they shall not bargain nor deal to the value of Five Pounds without the said Guardian's leave.

In Witness Whereof I have hereunto set my hand and affixed my seal the day and year within above written. The word / and Marsh / interlined between the third & fourth lines of the clause of Isaac's Legacy before Sealing and delivering.

Signed Seal'd publish'd pronounc'd &  
declared as his last Will and Testament } THOS DAVIS [SEAL]  
in presence of us the subscribers }

WILLIAM ARNALL ISABELLA BRADEN } October the 9<sup>th</sup> 1754  
HENRY DRAPER. } Let it be remembered  
that it is also my Will

that none of my wearing Apparel be appraised and that my brother Samuel Davis have a suit of my Clothes out of my effects. This memorandum made the date above written at the request of the above Thomas Davis by me W<sup>m</sup> Bowness.

#### County of Sussex

Memorandum this 29<sup>th</sup> of December 1754  
the above named Isabella Braden and on the 18<sup>th</sup> of February W<sup>m</sup> Arnall Two of the witnesses to the above and within Will subscribing appeared before me Jacob Kollock Dep<sup>t</sup> Reg<sup>r</sup> appointed for the probate of Wills and granting Lett<sup>rs</sup> of Adm<sup>a</sup> for the County of Sussex afores<sup>d</sup> & on their solemn oaths did severally declare that in their sight presence and hearing the Testator Thomas Davis Esq<sup>r</sup> did sign seal and acknowledge the above and within writing to be his last Will & Testam<sup>t</sup> & that at the doing thereof the Testator was of a sound & p'fect disposing mind memory & judgm<sup>t</sup> & that they & each of them together with Henry Draper subscribed the same as evidences at request and in presence of the Testator      Test JACOB KOLLOCK Reg<sup>r</sup>"

Thomas Davis and his second wife, Sarah Draper, had issue:

12. Isaac.
13. Henry.
14. Elizabeth (called Bety and Polly). See Stretcher Family; also her brother Henry's will for reference to her marriage to Edward Stretcher. See Stretcher Family for descendants.

IV. 13. HENRY DAVIS, son of Thomas Davis (8) and Sarah Draper, was born in Sussex Co., Del. The data referring to him has not been collated. His will, however, recorded at Georgetown, Liber B, folio 283, is as follows:

"In the Name of God Amen, the ninth day of May Anno: One Thousand Seven Hundred Sixty Five I Henry Davis of the County of Sussex on Delaware Gent<sup>a</sup> being weak and sick of body but of perfect mind and memory thanks be given to Almighty God therefore calling to mind the mortality of my body and knowing that it is appointed for all men once to die, do make and ordain this my last Will and Testament, that is to say: principally and first of all I give and recommend my soul unto the hands of Almighty God who gave it hoping at the general Resurrection to receive the same again by the mighty power of God and my body I do recommend to the Earth to be buried at the discretion of my Execut<sup>r</sup> hereafter named, and as touching such worldly estate as it hath pleased God to bless me with in this life I give and devise and dispose of the same in manner and form following.

*Item*, I will and desire that all my lawful Debts and Legacies and funeral charges be first paid and discharged.

*Item*, I will and bequeath unto my dearly beloved wife Susanna Davis the sum of Twenty five Pounds current money of this Government to her, her heirs and assigns.

*Item*, I give and bequeath unto my loving son Thomas Davis all and singular my estate of lands and tenements to

him his heirs and assigns and in case my son Thomas should die without lawful issue then my will and meaning is that the above said land and premises should fall to my loving sister Betty Stretcher now the wife of Edward Stretcher of the City of Philadelphia to her and the issue of her to them their heirs and assigns and in case my sister Betty Stretcher should die without Issue then my will and meaning is that the aforesaid land and premises shall fall to my loving cousin Thomas Davis son of my uncle Samuel Davis to him his heirs and assigns.

*Item*, I will and desire that my loving wife Susanna Davis shall enjoy all and singular the profits of the abovesaid land and premises during her natural life, if she do not marry, but if she should marry then my will and meaning is that she shall give up peaceable and quiet possession of all the abovesaid Lands and Tenaments unto the lawful heir above mentioned.

*Item*, I give and bequeath all and singular my personal estate not yet bequeathed unto my loving son Thomas Davis to him his heirs and assigns.

*Item*, I will and desire that my loving wife Susanna Davis shall have the use and profits of all and singular of my personal estate during her natural life if she does not marry, but if she should marry my will and meaning is that she immediately pay or cause to be paid the abovesaid personal estate unto such person or persons who are or may be authorized to receive the same.

*Item*, I will and desire that no charge be brought against my estate for Schooling, clothing and accommodating of my son Thomas Davis during his mother's widowhood and he be school'd and brought up in a Christian manner.

*Item*, I will and desire that if my son Thomas Davis should die without lawful issue then my personal estate to be equally divided among my sister Betty Stretcher's children and for want of such heirs, to fall to my cousin Thomas Davis son of my uncle Sam<sup>1</sup> Davis.

*Item, I will and desire and do hereby nominate and appoint my well beloved wife Susanna Davis my only and sole Executrix of this my last Will and Testament. In witness whereof I have set my hand and seal the day and year within written.*

Sealed, pronounced published and delivered as his last Will and Testament }  
in presence of us the subscribers } HENRY DAVIS [SEAL]

Memorandum this seventh day of August 1765 the above named Thomas Heaverloe and John Cirwithin appeared before me Jacob Kollock Regr appointed for the Probate of Wills and Granting Lett<sup>r</sup>s of Administration for the County of Sussex on Delaware and being duly qualified on the Holy Evangelists of Almighty God did on their oaths severally declare that in their sight presence and hearing the Testator Henry Davis did sign seal publish pronounce and declare the above and within writing to be his Last Will and Testament and that at the doing thereof the Testator was of a sound and perfect disposing mind memory and Judgment they and each of them subscribed the same as evidences at request and in presence of the Testator

Test JACOB KOLLOCK Reg<sup>r</sup>"

According to the foregoing will Henry Davis and Susanna, his wife, had issue:

15. Thomas.

# Draper

I. 1. ALEXANDER DRAPER, the settler in America and founder of the family of which this genealogy treats, appears to have been born at Little Bolton, Lancashire, England, and, like many of the colonists, to have named his newly acquired land after his native place, as "Little Bolton" was the name given to two of the grants received by him, one in Somerset County, Maryland, the other in Sussex County, Delaware. The following is quoted from the *Encyclopædia Britannica*:

"Bolton, or Bolton le Moors, a municipal and parliamentary borough of England, in the County of Lancashire, 11 miles N. W. of Manchester. It is divided by the Croal, a small tributary of the Jewell, into Great and Little Bolton, the former of which is situated on the south side of the stream. Bolton is of some antiquity, but had little importance until the introduction of the woollen manufacture by Flemish immigrants about 1337. Several centuries afterwards its industries received a further development from a body of French refugees, driven from their own country by the Edict of Nantes. During the Civil War of the 17th century the inhabitants espoused the popular side, and their town was taken by storm in 1644 by the Royalists under Prince Rupert and the Earl of Derby."

The date of Alexander Draper's birth has not been ascertained beyond approximation. His first wife, Catherine, made deposition in 1673, wherein she testified "that she is about thirty seven years of age," consequently she was born in 1636; as her husband was, no doubt, several years her senior, he was probably born *circa* 1630.

The first reference to Alexander Draper is recorded at the Land Office, Annapolis, Maryland, in Liber IV, folio 581:

"August 16, 1660. Warrant to lay out for Alexander Draper three hundred acres of land returned (returnable?) the last of June next, by which time he is to make his rights appear on record."

According to this, he probably came to Maryland in the year 1660, as rights for transporting persons into the Province were usually entered shortly after their arrival.

Liber V, folio 253:

"April 28, 1663. Alexander Draper enters these rights, vitz: himself, Catherine his wife, Edmund Furlong, his servant."

It will be observed, therefore, that Alexander Draper was married to his first wife prior to his arrival in Maryland, which prevented her surname being obtained. As the rights entered would only have entitled him to 150 acres, as fifty acres were allowed for each person, the rights of three others must have been assigned to him to have entitled him to the above warrant for 300 acres. Such was the fact, as will appear.

Liber V, folio 253:

April 28, 1663. William Watson assigns his rights to 50 acres due for transportation of his wife Rebecca to Alexander Draper.

Same folio and date:

William Joanes (Jones ?) assigns his rights to 50 acres to Draper.

Same folio and date:

William Wilkinson assigns his rights to 50 acres to Draper.

Same folio and date:

"I, James Jolley, do assign over unto Alexander Draper these rights, vitz: Deborah Webb, Katherine Wallis, John Child.

JAMES <sup>his</sup> X JOLLEY."  
mark

Same folio and date :

“ I, Margaret Jenifer, do assign over all my right, title and interest of one Right for my transportation into this Province unto Daniel Jenifer, my brother. In witness whereof I have set my hand this 28 April, 1663.

MARGARET JENIFER.

April, 1663.

Test: JAMES <sup>his</sup> X JOLLEY  
<sub>mark</sub>

On the Backside it followeth :

I do assign over unto James Jolley the within mentioned Right. Witness my hand this 28<sup>th</sup> April, 1663.

Teste: ABRAHAM WATSON. DANIEL JENIFER.

April 28, 1663. James Jolley assigned this right also over to Alexander Draper.

April 28, 1663. Upon which rights and assignments the said Alexander Draper demands land.

Warrant to Surveyor General to lay out for Alexander Draper 500 acres, returnable 30<sup>th</sup> October next.”

Liber V, folio 304:

“ May 31, 1663. I, William Martinson, do assign unto Alexander Draper my right and title of two servants that came in this year, by name Grace Owen and William Black.

Witness my hand this last of May, 1663.

WILLIAM MARTINSON.”

Liber VI, folio 22:

“ Cecelius absolute Lord and propy. of the provinces of Maryland and Avalon Lord Baron of Baltimore &c. To all persons to whom these presents shall come greeting in our Lord God Everlasting. Know ye that we for and in consideration that Alexander Draper of this province planter hath due unto him one hundred and fifty acres of land for transporting himself and Catherine his wife and Edward Furlong his servant into this province here to inhabit and hath likewise due to him fifty acres more by assignment from William Jeanes and also fifty acres from William

Wilkinson as appears upon record and upon such conditions and terms as are expressed in our conditions of plantation of our province of Maryland under our greater seal at Armes bearing date at London the second day of July in the year of our Lord God 1649 and remaining upon record in our said province of Maryland with such alterations as in them is made by our declaration bearing date the 22nd of September Anno 1658 likewise remaining upon record in our said province of Maryland do hereby grant unto him the said Alexander Draper a parcel of land called 'Little Bolton' lying on the Southermost side of Anamesticks River and on the Westermost side of Hart's Creek beginning at the mouth thereof and running South East up the said Creek one hundred twenty-five perches to a marked tree standing at the head of a glade of the said Creek parting it from the land of Robert Hart thence with a line drawn South West three hundred and twenty perches into the woods to a marked tree and thence running through the woods North West the length of one hundred twenty-five perches to a marked tree standing by a great marsh and running along the Southermost side of the said marsh three hundred and twenty perches North-East to the mouth of Hart's Creek the first bounder containing and now laid out for two hundred and fifty acres more or less together with all rights profits and benefits thereunto belonging (Royal Mines excepted) To have and to hold the same unto him the said Alexander Draper his heirs and assigns for ever. To be holden of us and our heirs as of our manor of                      in free and common soccage by fealty only for all manner of services yielding and paying therefor yearly unto us and our heirs at our receipt at Saint Maries at the two most usual feasts in the year viz: at the feast of the Annunciation of the Blessed Virgin Mary and at the feast of Saint Michael the Archangel by even and equal portions the rent of five shillings sterling in silver or gold and for a fine upon every alienation of the said land or any

part or parcel thereof one whole year's rent in silver or gold or the full value thereof in such commodities as we and our heirs or such officer or officers appointed by us or our heirs from time to time to collect and receive the same shall accept in discharge thereof at the choice of us and our heirs or such officer or officers as aforesaid. Provided that if the said Alexander Draper his heirs or assigns shall not pay unto us or our heirs or such officer or officers as aforesaid the said sum for a fine before such alienation and enter the said alienation upon record either in the provincial Court or in the County Court where the said parcel of land lyeth within one month next after such alienation the said alienation shall be void and of none effect.

Given at Saint Maries under our Great Seal of our said Province of Maryland the six and twentieth day of October, in the 32 year of our dominion over our said Province of Maryland Anno Domi. 1663.

Witness our dear son and heir Charles Calvert Esq. our Lieutenant General of our said Province of Maryland."

Liber VII, folio 474:

"Nov. 12, 1664. Alexander Draper had his warrant for five hundred acres renewed dated xii of November one thousand six hundred sixty-four sct: twelfth May next.

Which former warrant was not returned into the office, but will be by the first convenience or this Warrant to be void which was first ordered by the Lieutenant General."

Proceedings of the Circuit Court of Somerset Co., Md.

Liber A, folio 2:

"The Marke of Alexander Draper, vizt: the left eare cropt & a slitt in the crop ye right eare underbitted & overbitted. Recorded ye 24<sup>th</sup> January, 1665."

Liber B, folio 37:

Nov. 13, 1666, Alexander Draper was subpoenaed as a witness.

Folio 40:

Nov. 27, 1666, he was a grand juror.

Folio 67:

May 28, 1667, he was a witness to the will of James Barnebe and made appraiser of his estate.

Folio 106:

Jan. 28, 1667, a witness in case of Randall Revell vs. George Johnson.

Folio 114:

June 30, 1668, he was sworn in as Constable of Anna-wessex Hundred.

Folio 144:

Oct. 8, 1668, a witness.

Liber XI, folio 469: (Land Office, Annapolis.)

"Know all men by these presents that I Thomas Clark of Somerset County in the province of Maryland Planter for a valuable Consideration well and truly paid me by Alexander Draper of the place aforesaid planter the receipts whereof I do acknowledge by these presents have assigned and made over all my rights title interest and demand of in and to two rights to land being the remainder of my Warrant for three hundred acres of land dated the xx of August MDCLxv and do hereby for the consideration aforesaid assign and make over all my right title interest claim and demand of in and to all and every of the premises to the said Alexander Draper to the only use and behoof of him the said Alexander Draper his heirs and assigns forever.

Witness my hand this two and twentieth day of December in the XXXVth year of his Lordship's Dominion Anno Dom. MDCLxvi.

Signed sealed and delivered

in the presence of

WILLIAM FORNIS

EDWARD SAVAGE"

the mark of

THOMAS T. C. CLARKE [SEAL]

Same folio:

“ August the Vth, MDCLxvij.

Warrant then issued to lay out for the said Alexander Draper four hundred and fifty acres of land one hundred acres thereof due to him by assignment from William Martinson for transporting Grace Owen and William Black one hundred acres more due by assignment from Thomas Clark the remainder of a Warrant for three hundred acres formerly granted him and two hundred and fifty acres more the remainder of his warrant for five hundred acres. Cert: sc̄t: vth Nov. next.”

Proceedings of the Circuit Court for Somerset Co., Md.

Liber D. T., No. 7, folio 146: Jan. 13, 1670, Alexander Draper was foreman of the Jury in case of Thomas Cox vs. Alexander Jennison.

Liber A. Z., folio 78: Mar. 12, 1671, he was a grand juror.

Land Office, Annapolis. Liber XVII, folio 29:

“ May 12, 1672. Alexander Draper of this County Planter proved his right to one hundred and fifty acres of land for Wm. Makepeace Senr. Ann Makepeace and Wm. Makepeace Jr. transportation into this Province here to Inhabit.”

Proceedings of the Circuit Court of Somerset County, Md.

Liber A. Z., folio 175: Sept. 17, 1672. Alexander Draper was appointed Overseer of Highways for Annawessex Hundred.

Folio 296: Jan. 14, 1673. Alexander Draper appears as Attorney for John Wahop in a suit against Leonard Jones for debt.

Folio 297: Jan. 14, 1673. He was a juror.

Folio 302: Jan. 14, 1673. Catherine, wife of Alexander Draper, makes deposition, wherein she deposes she is about thirty seven years of age. (This was the only item of interest.)

Land Office, Annapolis. Liber XVIII, folio 49:

“ Know all men by these presents that I Alexander Draper of the County of Somersett in the Province of Maryland for a valuable consideration in hand paid do by

these presents assign and make over unto William Stevens of the same County and Province all my right title and interest of and to one hundred and fifty acres of land due to me for and in consideration of transporting into this Province to inhabit William Makepeace Sen. Ann Makepeace and William Makepeace Jr. the said William Stevens To Have and To Hold the same unto him and his heirs forever with warranty against me my heirs and assigns forever.

In Witness whereof I Alexander Draper have put to this my hand and seal the first day of May 1673.

ALEXANDER DRAPER [SEAL]

Signed sealed and delivered in

the presence of

JOHN WHITE JUNR. }  
JOHN FREEMAN" }

Folio 40:

"4th Oct. 1673. Warrant Granted to Alexander Draper of Somerset County thirteen hundred and fifty acres of land five hundred acres due him by the assignment of a Warrant formerly Granted Randall Revell for the like quantity also the assignment of a Warrant of four hundred acres formerly granted the said Revell and four hundred and fifty acres by the renewment of a Warrant for the same quantity formerly granted the said Draper."

Folio 45:

"On the back of a Warrant Granted to Randall Revell the second day of October 1671 for four hundred acres of land was thus written:

Maryland set: Know all men by these presents that I Randall Revell of Somerset County Gent. do hereby assign and sett over all my right title and interest of the within mentioned Warrant of four hundred acres of land unto Alexander Draper of the County aforesaid Gent. the said Alexander Draper To Have and To Hold the same unto him and his heirs forever as

Witness my hand and seal this fourth day of October in  
the 42d. year of the Dominion of the Rt. Honorable Cece-  
lius &c Annaoy Domini 1673.

Test:

RANDALL REVELL [SEAL]

FR. JENKINS,  
ISAAC EDMONDS."}

Deeds recorded at Princess Anne, Somerset Co., Md.

Liber M, folio 49:

"This Indenture made the eighteenth day of December in  
the ~~xxxxij<sup>th</sup>~~ yeare of the Dominion of the Rt honorable  
Caecelius Absolute Lord and Proprietary of the Province  
of Maryland and Avalon Lord Baron of Baltemore &c  
And in the yeare of our Lord God one thousand six hun-  
dred seaventy and three Betweene ffrancis Roberts of the  
County of Somersett in the Province of Maryland plantor  
of the one party And Alexander Draper of the County and  
Province aforesaid gent: of the other party Witnesseth that  
whereas the said Lord Baltemore by his deed of grant undr  
the great seale used in the said Province of Maryland for  
granting of Land there bearing date at s<sup>t</sup> Maries the thirtieth  
day of August in the ~~xxxvij<sup>th</sup>~~ yeare of the Dominion of the  
R<sup>t</sup> hon<sup>e</sup>ble Caecelius Annoq Domini one thousand six hun-  
dred sixty eight did for the consideration therein mentioned  
grant unto David Williamson of the County and province  
aforesaid plantor A parcell of Land called Davids Distiny  
Lyeing on the east side of Chesapeake bay in the County  
aforesaid upon an Island called Dame [Damme] Quarter . . .  
containing by estimation three hundred and fifty Acres  
more or Lesse . . . The said Land being alienated from  
the said David Williamson unto Thomas Kendall late of  
this County bearing date the ffoureteenth day of January  
A° D° one thousand six hundred seaventy and one as records  
will appear in Sommersett County Liber S. C. folio 28:  
The said Thomas Kendall did after the 14<sup>th</sup> day of January  
A° D° one thousand six hundred seaventy and one: viz  
upon the 12<sup>th</sup> day of March Annoq Domini one thousand

six hundred seaventy and one make over by Deed Indented the said parcell of Land unto the above named ffrancis Roberts as records more fully and more at Lardge doth make appeare in Somersett County entered there upon record the second day of May Annoq Domini one thousand six hundred seaventy and two by which divise the said ffrancis Roberts came possessed of an estate in fee simple in the said land: now this Indenture witnesseth that he the above named ffrancis Roberts doth for the Consideration of eight thousand pounds of tobacco in hand paid by the within named Allexander Draper the receipt of which is hereby acknowledged hath given granted . . . unto said Alexander Draper and to his heires and assignes forever All that the aforesaid parcell of Land aforementioned."

Liber M, folio 90:

" This Indenture made the tenth day of August in the xxxxij yeare of the Dominion of the R<sup>t</sup> hon<sup>ble</sup> Caecelius Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltemore &c And in the yeare of our Lord God one thousand six hundred seaventy ffoure Between Richard Pearn of Somersett County in the Province of Maryland plantor of the one Party And Allexander Draper of the County and Province aforesd gent: of the other party witnesseth that whereas the said Lord Baltemore by his deed of Grant under the greate seale used in the said Province of Maryland for granting of Land there bearing date at S<sup>t</sup> Maries the 20<sup>th</sup> day of August in the xxxvij<sup>th</sup> yeare of the Dominion of Caecelius over the said Province of Maryland Annoq Domini one thousand six hundred sixty eight did for the consideration therein mentioned grante unto Stephen Elliott of the County & Province aforesaid Plantor A parcell of land called Elliotts Choice Lyeing and being on the east side of Chesepeake bay upon an Island Called Damme quarter in the County aforesaid . . . containing two hundred Acres more or Lesse . . . that since the said grante the said Stephen Elliott Did by Deed

Indented . . . in the Co of Sommersett on the eleventh Day of January Annoq Domini one thousand six hundred sixty nine the aforementioned Land to be the right of him the above named Richard Poake his heires and assignes forever as records makes appeare recourse being thereunto had by which devise the said Richard Peack became possessed of an estate in ffee simple in the said Land now this Indenture witnesseth that the named Richard Peack for the consideration of two thousand pounds of tobacco in hand paid by the above named Alexxander Draper conveyed unto the said Alexxander Draper All that the aforesaid parcell of Land."

Proceedings of the Circuit Court for Somerset Co., Md.

Liber A. Z., folio 352: June 9, 1674, Alexander Draper appears as a juror.

Folio 395: Nov. 10, 1674, he was of the grand jury.

Folio 540:

1674. "Alexander Draper and Miles Gray doe engage themselves Joyntly and severally to secure the sheriffe as to all prisoners shall be then imprisoned in the penalty of one hundred thousand pounds of tobacco." (This bond was given for the performance of their duties as County Jailors.)

Liber XV, folio 323: (Land Office, Annapolis.)

"Nov. 11, 1675.

Underneath a True Copy of a Certificate of one hundred acres of land laid out for Alexander Draper of Somerset County Gent. the 9th Oct. 1673 called 'Longacre' being an Island in a marsh was written vitz:

Know all men by these presents that I Alexander Draper abovenamed do freely assign and set over all my right title interest and demand of the above mentioned land called "Longacre" unto Ann Revell the daughter of Randall Revell of Somerset County Gent. To Have and To Hold to her the said Ann her heirs and assigns forever having received of the said Ann for the said land two thousand pounds of Tobacco.

Witness my hand and seal the 11th day of November,  
Annoq Domini 1675.

ALEXANDER DRAPER

Signed and delivered in  
the presence of us:  
EDM<sup>D</sup> BEAUCHAMP.  
WILLIAM JONES."

Liber XV, folio 323: Nov. 11, 1675. Alexander Draper, of Somerset Co., Planter, assigns "Longacre" to Ann Revell, daughter of Randall Revell.

Folio 315: Nov. 20, 1675, he assigns to W<sup>m</sup> Furness his rights for 900 acres.

Folio 315:

"November 22d, 1675.

## Maryland, Set:

Know all men by these presents that I Alexander Draper of Somerset County Planter for a valuable consideration doe hereby assign and set over unto William Furniss of Somerset County aforesaid Planter all my right title interest claim and demand of in and to a Certificate for nine hundred acres of land called 'Amitte' lying on the East side of Chesapeake Bay on the South side of Monokin River Surveyed for me the 13th day of October 1673 To Have and to Hold the same to him the said William Furniss his heirs and assigns to his and their own proper use and behoof forever.

Witness my hand and seal this 20th day of Nov. 1675.

Sealed and delivered  
in the presence of  
Wm. COLBURNE  
Nic. POINTER"

ALEXANDER DRAPER.

Deeds recorded at Princess Anne, Somerset Co., Md.

Liber M, folio 404:

"This Indenture made the 18<sup>th</sup> day of April in the first  
yeare of the Dominion of the R<sup>t</sup> hon<sup>ble</sup> Charles absolute  
Lord and Proprietary of the Province of Maryland and

Avalon Lord Barron of Baltemore And in the yeare of our Lord God one thousand six hundred seventy and six Betweene Allexander Draper of the County of Somersett in the Province of Maryland gent<sup>l</sup> of the one part And ffrancis Roberts of the said County of Somersett in the said Province of Maryland of the other part Witnesseth That whereas by Deed of graunt under the great Seale used in the said Province of Maryland for graunting of Land there bearing date at S<sup>t</sup> Maries the 30<sup>th</sup> day of August in the xxxvii<sup>th</sup> yeare of the Dominion of the R<sup>t</sup> hon<sup>ble</sup> Caecelius A<sup>o</sup> Domini one thousand six hundred sixty eight did for the consideration therein mentioned graunt unto David Williamson of the County and province aforesaid planter A parell of Land Called Davids Destiny Lying on the east side of the Chesapeake bay in the County aforesaid upon An Island called Dame quarter . . . Containing and then laid out for Three hundred and fifty Acres . . . The said Land since the date of the Graunt being Allienated from the said Williamson unto Thomas Kendall late of this County the foureteenth day of January Annoq Domini one thousand six hundred seventy one as records makes appeares in Sommersett County Liber S: C: folio 28: And the said Thomas Kendall did after the 14<sup>th</sup> day of January Annoq Domini one thousand six hundred seaventy one vitz: upon the 12<sup>th</sup> day of March Annoque Domini one thousand six hundred seaventy one make over by deed indented Dueley executed acknowledged and recorded unto the above named ffrancis Roberts which ffrancis Roberts being soe hereof Possessed of the said Land in fee in his owne right Afterwards to wit on the 18<sup>th</sup> day of November in the year of our Lord God one Thousand six hundred seaventy three by his certaine Indenture dueley executed and enrolled Did convey his whole right title and Interest of in and to the premises and every part and parcell thereof unto the above named Allexander Draper . . . And whereas the said Allexander Draper being still possessed in his owne right of the aboves<sup>d</sup>

premisses and every part and parcell thereof with the appurtenances thereunto belonging now this Indenture further Witnesseth That the above named Allexander Draper for and in consideration of the full and Just summe of eight Thousand pounds of good sound marketable Tobacco to him in hand paid by the above named ffrancis Roberts . . . hath given graunted . . . unto the said ffrancis Roberts . . . All that tract . . . aforementioned Called Davids Destiny."

Liber M, folio 394:

" This Indenture made the eightene day of Aprill in the first yeare of the Dominion of the Rt hon<sup>ble</sup> Charles absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Barron of Baltemore &c and in the yeare of our Lord God one Thousand six hundred seventy six Betweene Allexander Draper of the County of Somerset in the Province of Maryland gent<sup>l</sup> and Katherine his wife of the one parte And Miles Gray of the County and Province afores<sup>d</sup> planter of the other part Witnesseth That whereas Caecelius &c by Deed of Grant under the great seal used in the said Province of Maryland for graunting of Land there bearing date at St Maries the six and twentieth day of October in the two and thirtieth yeare of the Dominion of the R<sup>t</sup> hon<sup>ble</sup> Caecelius &c over the Province of Maryland Annoque Domini one Thousand six hundred sixty three Did for the Consideration therein mentioned graunt unto Allexander Draper A parcel of Land called Little Bolton scituate Lyeing and being in Annawessex river on the southernmost side of the said river on the westernmost side of hearte Creeke . . . containing and there laid out for two hundred and fifty Acres more or less . . . Now this Indenture further witnesseth that the said Allexander Draper and Katherine his wife for the Consideration of eighteene thousand pounds of tobacco in hand paid . . . have given graunted . . . unto the said Miles Gray . . . All that the aforesaid parcell of Land."

Liber M, folio 413:

"This Indenture made the eighteenth day of Aprill in the first yeare of the Dominion of the R<sup>t</sup> hon<sup>ble</sup> Charles absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Barron of Baltemore &c And in the year of our Lord God one thousand six hundred seaventy and six Betweene Allexander Draper of the County of Sommersett in the Province of Maryland gent of the one part And ffrancis Roberts of the said County of Sommersett in the said Province of Maryland of the other part Witnesseth that whereas by Deed of Graunt under the great seal used in the said Province of Maryland for graunting of Land there bearing date at st Maries the 20<sup>th</sup> day of August in the xxxvij<sup>th</sup> year of the Dominion of Caecelius over the said Province of Maryland Annoque Domini one thousand six hundred sixty eight Did for the Consideration therein mentioned graunt unto Stephe Elliott of the County and Province aforesaid plantor A parell of Land called Elliott's Choice Lyeing and being on the east side of Chesapeake bay upon an Island called Dame Quarter in the County aforesaid . . . containing and there laid out for two hundred acres more or lesse . . . And whereas the said Stephen Elliott being by virtue of the said graunt possessed of the said land in fee Afterwards to witt the eleventh day of February in the year of our Lord God one thousand six hundred sixty and nine by A certaine Deed poll Dueley executed and enrolled did convey his whole right title and Interest of in and to the premisses and every part and parcell thereof unto Richard Poake his heirs and assignes for ever which said Richard Poake being soe thereof possessed by his certaine Indenture dueley executed and enrolled bearing date the 10<sup>th</sup> day of August in the xxxxij<sup>th</sup> year of the Dominion of Caecelius over Maryland Annoque Domini one thousand six hundred seaventy foure Did convey his whole right title and Interest of in and to the premisses and every part and parcel thereof unto the above named

Allexander Draper his heirs and assignes forever which said Allexander Draper being soe thereof possessed . . . the Consideration of two thousand pounds of tobacco in hand paid by the within named ffrancis Roberts the receipt whereof is acknowledged hath graunted sold &c All that tract parcell or divident of Land aforementioned called Elliotts Choice."

Alexander Draper appears to have moved from Somerset County, Maryland, to Sussex County, Delaware, shortly after the date of the preceding conveyance, April 18, 1676, as the " York Records" at Dover, folio 134, record a patent from Governor Andros to him and Jacob Cheltman for 996 acres on the West side of Delaware Bay and South side of Cedar Creek, called "Little Bolton." The date is left in blank, but it appears to have been in 1677. Draper's fondness for the name of "Little Bolton" is apparent, it being the second time he applied it, which strongly suggests that it was named after his native place in Lancashire, England.

Deeds recorded at Georgetown, Sussex Co., Del.

Liber A, folio 103 :

At a Court held Jan. 14, 167 $\frac{8}{9}$ , the following was entered : "Alexander Draper, by producing a patent for a parcel of land belonging by that patent unto Randall Revell and one Henry Bowman, hath caused some certain clearing and buildings, as is supposed, upon the said land, therefore, the said Draper hath forewarned in open Court that the said Bowman or his order shall cease from proceeding any further work or settlement for the future."

Liber B, folio 91 : Jan. 1, 1680, assignment of patent by James Welles and Mary his wife to Alexander Draper.

Dover records. Survey Book of Kent Co., Liber A, folio 77 :

" Certificate and Plot of Alexander Draper's land.

By virtue of a warrant from ye Court of Kent County bearing date y<sup>e</sup> 21<sup>st</sup> day of y<sup>e</sup> 12<sup>th</sup> month 168 $\frac{1}{2}$  to me directed by W. Clark, Chief Surveyor of Sussex and Kent,

Laid out for Alexander Draper a tract of land called Draper berry [Drapersberry] situated and being on ye West side of Delaware Bay in Kent Co. on North side of the Southwest Branch of Murder Creek, containing 1000 acres Surveyed by me ye 6 of 12 mo. 1685.

J. BARKSTEAD, Dep. Sur. By order of W<sup>m</sup> CLARK, Chief Surveyor of Sussex and Kent.

Certified by W<sup>m</sup>. CLARK, Surveyor of Cos. Sussex & Kent.

Endorsed on the above certificate and the plot as follows:

Alexander Draper. Certificate of Survey for 1000 acres of land. Kent. 'Drapersberry.' Patent dated the 2<sup>nd</sup> 8 mo. 1686 and delivered Alexander Draper the same day."

The Court Docket of Sussex County, in possession of the Pa. His. Soc. :

Sep. 14, 1681, Alexander Draper was appointed Surveyor of Highways and Bridges for Sussex County.

Deeds recorded at Georgetown, Del. Liber B, folio 91: Nov. 14, 1682. Conveyance by Alexander Draper, of the Whorekill, *alias* New Deal County, Planter, to John Simons and William Loaring, of St. Martin's in Maryland, Planters, being the same which he purchased of George Young.

Penna. Ar., Vol. XVI, page 373: Nov. 21, 1682, Alexander Draper was returned as a Member from Sussex County of the Assembly of the Province of Pennsylvania and the Three Lower Counties Annexed.

"Votes and Proceedings of the House of the Representatives of the Province of Pennsylvania. Printed by B. Franklin and D. Hall. MDCCLII:"

Alexander Draper appears as a Member from Sussex at the Sessions held at Philadelphia, 12<sup>th</sup> 1<sup>st</sup> 168 $\frac{1}{2}$ ; also at Philadelphia, 24, 8, 1683; and at New Castle, 10, 3, 1684.

Mar. 1, 1684, Alexander Draper was commissioned a Justice. (Scharf's "His. of Del.", page 1211.) The Court Docket, in poss. of the Pa. His. Soc., contains the proceedings of the Court during his tenure.

Deeds recorded at Dover, Del. Kent Co., Liber 1, folio 18 : Nov. 20, 1686. Conveyance by Alexander Draper, of Sussex County, Planter, and Rebecca his wife, to John Edmundson, of Maryland, Merchant, of "Drapersberry," in Kent Co., N. side of the S. W. Branch of Murder Creek.

Deeds recorded at Georgetown, Sussex Co., Del. Liber A, folio 67 :

At a Court for Sussex County, held at Lewes, 4, 5, 6, of 8 mo. 1687, Alexander Draper acknowledged the sale of 300 acres to John Symons and William Lowen, which was surveyed and patented originally for George Young and called "Young's Hope," the deed of sale being dated 14<sup>th</sup> 9ber, 1682, and delivered there in court with the patent dated Jan. 15, 1675.

Court Docket of Sussex Co., in poss. of Pa. His. Soc.:

At a Court held 6, 7, 8, of 10 mo., 1687, Rebecca Draper, wife of Alexander Draper, petitioned for the custody of her son John Millnor in custody of George Young, who married Mary Southern, which petition was granted.

Deeds recorded at Georgetown, Del. Liber A, folio 120 :

25<sup>th</sup> 2<sup>nd</sup> mo. 1688. Letter of Atty. to Alex. Draper of Sussex Co., Del., from Richard Stevens, of Somerset County, Md., to acknowledge unto Wm. Emmott a deed of gift for 500 acres on the N. side of the South Indian River, called "Hopewell."

Liber A, folio 135 : 31, 8, 1691. Assignment by Wm. Emmott of warrant and grant for 500 acres to Rebecca Draper, Administratrix of Alexander Draper, deceased.

It will be observed, therefore, that Alexander Draper had died during the interim of this and the preceding reference 25<sup>th</sup> 2<sup>nd</sup> mo., 1688. His second wife's surname has not been ascertained nor the date of her marriage to Alexander Draper. According to a previous reference, however, she was the widow of —— Millnor, by whom she had a son John.

Liber A, folio 135 : Dec. 1, 1691, Rebecca Draper, Admx. of Alex. Draper, dec'd., conveys 300 acres.

Alexander Draper and his first wife Catherine had issue:

2. Alexander.

3. Henry.

II. 2. ALEXANDER DRAPER, son of Alexander Draper (1) and his first wife Catherine, was born in Somerset County, Maryland, *circa* 1661. In the rights for land claimed by his father in 1660 for the transportation of his wife and himself no mention is made of any children, consequently, it is assumed that Alexander, the son, was born shortly after their arrival.

Quit Rent Rolls of Delaware, 1705 (see Logan Papers in poss. of the Pa. Hist. Soc.):

"Al. Draper. 400 acres. Part of a tract of 1000 acres granted by patent from Wm. J. Goods, dat. 22  $\frac{mo.}{5}$  '89, surv. by Corn. Verhoof by order of Survey Court. Rent at ye town of Sussex. 1 bush. S. C. Al. Draper sold 300 acres of this 10, 12, '87 to James Sykes, of Phila., and 300 to Wm. Emmott this foregoing year, as is said, is now held by Jno. Ben-  
net. Al. Draper had this from his father, Al. Draper, by will."

Alexander Draper married Ann, daughter of John Walton and "Percey" his wife, of Sussex County. John Walton's will, recorded at Georgetown in Liber A, folio 233, is dated Nov. 19, 1706. He mentions children, John, George, William, Mary, Alice, and Ann, wife of Alexander Draper; his "ancient mother-in-law;" his granddaughter Elizabeth, daughter of Ann Draper; appoints his son-in-law Alexander Draper and friend Nicholas Granger, Trustees, and his wife Percey, sole Executrix. The witnesses

were Jos. Hickman, Thos. Manley and Mark Manley. The date of probate is torn.

Deeds recorded at Georgetown. Liber A, folio 99:

Feb. 4, 1717. Conveyance by Matthew Parker, Gent., of Sussex Co., to Alexander Draper, of same, of 400 acres on N. W. side of Cedar Creek.

Liber B, folio 209: Dec, 10, 1717. Conveyance by Christopher Nutter, of Sussex Co., yeoman, to Alexander Draper, of same, yeoman. Situate on South side and part of a larger tract called "Bowman's" or "Nutter's Farms," bounding partly on Barnwell's Branch and Slaughter Creek, containing 428 acres.

Liber A, folio 248: May 3, 1720. Honor Bedwell acknowledges a conveyance to Alexander Draper.

Liber F, folio 28: May 8, 1720. Conveyance by Honor Bedwell, widow and Executrix of Wm. Clark, to Alexander Draper, of 300 acres.

Folio 89: May 7, 1723. Conveyance by Thos. Stapleford to Alex. Draper.

Folio 211: Aug. 3, 1725. Conveyance by Alex. Draper to Richard Davis.

Folio 222: Aug. 3, 1725. Richard Davis to Alex. Draper.

Folio 229: Mar. 28, 1728. David England to Alex. Draper.

Liber G, folio 210: Apr. 20, 1730. Alex. Draper, Merchant, to Thos. Davis.

Folio 397: May 4, 1731. Chas. Haynes, of Dorchester County, Md., to Alex. Draper.

Liber G, folio 37: Aug. 1, 1732. John May to Alex. Draper.

Folio 3: Aug. 1, 1732. Alex. Draper, Merchant, to Alexander Thompson.

It is presumed that Alexander Draper died shortly before the probate of his will, Mar. 12, 1734. His will is recorded at Georgetown in Liber A, folio 247. It is dated Mar. 1, 172<sup>7</sup>. He mentions his wife Ann; children Alexander,

William, John, Samuel, Joseph, Nehemiah, Anne and Mary; his brother Henry Draper. Witnesses, Antony Woodward, Isaac Warner and Jas. White.

Deeds. Georgetown. Liber G, folio 297: May 2, 1739. Ann Draper, of Sussex Co., widow, to Thos. Postles, of same.

Liber H, folio 238: Sep. 12, 1749. Christopher Nutter, son and heir of Christopher Nutter, dec'd., to Ann Draper, widow of Alex. Draper, dec'd.

The widow of Alexander Draper survived her husband many years. Her will is recorded at Georgetown in Liber A, folio 385. It is dated Sep. 5, 1743. She is styled as a widow. She mentions children Alexander, John, William, Nehemiah, Joseph, Samuel, Ann Brinckle and Mary Smith; her grandchild Mary, daughter of Ann Brinckle; appoints her sons Samuel and Joseph Executors. Witnesses, John Walton, Costin Townsend and Thomas Lay. Probated Mar. 20, 1753.

Alexander Draper and Ann Walton, his wife, had issue:

4. Alexander.
5. William.
6. John.
7. Samuel.
8. Joseph.
9. Nehemiah.
10. Anne, m. —— Brinckle (Brinkloe?). Issue:  
10<sup>a</sup>. Mary.
11. Mary, m. —— Smith.

II. 3. HENRY DRAPE, son of Alexander Draper and his first wife Catherine, was born in Somerset County, Maryland, *circa* 1665; he married Sarah, daughter of John Kipshaven, Jr., and Sarah Avery. (See "Kipshaven Family" and "Account of Capt. John Avery, President Judge at the Whorekill in Delaware Bay," by the writer.)

Deeds recorded at Georgetown, Delaware. Liber A, folio 305: May 3, 1715. Conveyance by Capt. Jonathan Bailey,

of Sussex Co., to Henry Draper and Sarah, his wife, of the same place; a lot on the Second Street of Lewes adjoining the lots belonging to the heirs of Thomas Fisher, dec'd.

Liber A, folio 298: At a Court held in May, 1715, Henry Draper and Sarah, his wife, acknowledge a conveyance to Richard Paynter of the premises referred to in the preceding reference.

Folio 242: At a Court held at Lewes May 3, 1715, Henry Draper, of Sussex Co., and Sarah, his wife, acknowledge a conveyance to John Coe, of Kent Co., of 600 acres called "Martin's Vineyard," situate in Sussex Co.

Same folio: Aug. 5, 1719. Henry Draper, of Sussex Co., and Sarah, his wife, convey to Capt. Jonathan Bailey, of same place, 300 acres called "Ned, the poor workman's," situate three miles South of Lewes. This is also recorded in Liber H, folio 336.

Liber F, folio 21: Aug. 7, 1722. Conveyance by Henry Draper and Sarah, his wife, one of the granddaughters of John Avery, late of said Sussex County, dec'd., to Richard Hinman, of the same place. Whereas Governor Andros by patent dated Jan. 15, 1675, granted to the said Avery a tract of land called "Avery's Rest," lying upon Rehoboth, in the County aforesaid, containing 800 acres, and whereas the said Avery sold part thereof to John Dupree, and died possessed of the balance, leaving issue five children, Mary, Elizabeth, Sarah, Jemima and John, since deceased, so that the land fell to the said Mary, Elizabeth, Sarah and Jemima, share and share alike, and whereas the said Sarah married John Kipshaven, who had issue by her the above Sarah Draper, and the said Sarah, the mother of Sarah Draper, being since deceased, the fourth part of the above tract descended to her daughter, Sarah Draper, the present conveyor, who with her husband, the said Henry Draper, conveys to the said Hinman.

Liber B, folio 190: Apr. 18, 1730. Conveyance by Alexander Draper, of Sussex Co., Merchant, to Henry Draper, of same place, yeoman, of 124 acres, part of 400 acres laid out

for Edward Furlong, and called "My fortune," situate in Slaughter Neck, granted by patent to Furlong by Gov. Andros Sep. 29, 1677. Thomas Davis, Jr., a witness.

Liber F, folio 371: April 18, 1730. Conveyance by Luke Davis, of Sussex Co., to Henry Draper, of same; 5½ acres, being part of 255 acres situate in Slaughter Neck on the West side of 400 acres belonging to Alexander Draper and the said Henry Draper.

Folio 372: April 18, 1730. Conveyance by Luke Davis to Henry Draper; 40 acres, part of the 255 acres referred to in preceding reference.

Liber B, folio 193: April 20, 1730. Conveyance by Alexander Draper, of Sussex Co., Merchant, to Henry Draper, of same. 50 acres, part of 100 acres conveyed by Thomas Davis to Alex. Draper.

Henry Draper died in the interim of the dates of his will and its probate, Feb. 22, 1736/7, and Mar. 23, 1736/7. The will is recorded at Georgetown in Liber A, folio 310, as follows:

"In The Name of God Amen, The Twenty Second day of February Annoq Dom: 1736/7. I Henry Draper of the County of Sussex upon Delaware yeoman being weak and sick of body but of perfect mind and memory thanks be given unto God therefor calling to mind the mortality of my body and knowing it is appointed for all men once to dye do make and ordain this my last Will and Testament that is to say: principally and first of all I give and recommend my Soul into the hands of God and my body I recommend to the Earth to be buried at the discretion of my Executrix hereafter named and as touching such worldly Estate as it hath pleased God to bless me with in this life I give demise and dispose of the same in manner & form following.

*Imp<sup>rs</sup>* I will and desire that my lawfull debts and funeral charges be first paid and discharged.

*Item* I give and bequeath unto my sons Henry and Isaac Draper all my plantation and Land belonging to it that I

live upon and fifty seven acres of Land that I bought of Luke Davis my Neighbour which joyns to it and the Little Marsh pasture to be equally divided between them their heirs and assigns forever.

*Item* I give unto my said son Henry Draper his heirs and assigns forever one Feather bed and furniture i.e. that is all covering necessary and what I have laid out towards his vessell or Sloop that is building except the paying for the Oakum Tar and boat nails.

*Item* I give and bequeath unto my son Isaac Draper his heirs and assigns forever the sum of Twenty pounds curr<sup>t</sup> money of America and one feather bed and furniture of covering.

*Item* My will and desire is that my said two sons Henry and Isaac Draper pay off and discharge the Land Mortgage to the Loan Office of this County for the Land I have given them.

*Item* I give and bequeath unto my son Avery Draper Three Hundred and eight acres of Land called Cabbin Hill in Slaughter Neck in the County aforesaid and Forty Pounds Current money of America One feather bed and furniture and a yoke of Oxen to him his heirs and assigns forever.

*Item* I give unto my three sons afores<sup>d</sup> viz Henry Isaac and Avery Draper all my Marsh Land not yet bequeathed to be equally divided amongst them their heirs and assigns forever.

*Item* I give unto my daughter in law Rebeckah Cirwithin a three year old Heffer with her increase to her her heirs and assigns forever.

*Item* I give unto my two daughters viz, Sarah Davis the wife of Thomas Davis of this county yeo<sup>n</sup> and my daughter Elizabeth Draper and the heirs of their body lawfully begotten the half of my moveable estate to be equally divided between them only my daughter Sarah shall allow her sister Elizabeth aforesaid as much as she had given her at her marr'ge which fifteen Pounds current money of America

before the said divifion be made and then the said moiety to be equally divided as aforesaid.

*Item* I give unto my loving wife Sarah Draper the Thirds of all my lands and Tenaments according to law and the other moiety or half of my moveable estate and the House I live in during her widowhood and at her marriage if ever she does what I have given her over and above her Thirds I desire at her marriage may be given to her two daughters aforesaid viz, Sarah Davis and Elizabeth Draper to be equally divided between them and the heirs of their body lawfully begotten.

And I hereby constitute and appoint my said loving wife Sarah Draper to be only and sole Executrix of this my last Will and Testament and I do hereby utterly disannull revoke and make void all and every other former Wills and Testaments by me heretofore made ratifying allowing and holding for firm and effectual this and no other to be my last Will and Testament.

In Witness Whereof I have hereunto sett my hand and seal the date first within written.

Sign'd Seal'd pronounced and declared by the said Henry Draper as his last Will and Testament in presence of

JOHN ASTON HANC'S BIESTRIM  
JAS' WHITE

HENRY DRAPE [SEAL]

Sussex fs<sup>t</sup> Memorand<sup>m</sup>  
this 23<sup>rd</sup> day of March  
1736/7 the within Han:  
Birustrum and John

Aston two of the witnesses to the within Will subscribing appeared before me Jacob Kollock Dp Reg<sup>r</sup> appointed for the probate of Wills and granting Lrs: of Administration for the County of Sussex afs<sup>d</sup> and on their solemn oaths did declare that in their sight presence and hearing the testator Henry Draper did sign seal publish pronounce and declare the within writing to be his last Will and Testament and that at the doing thereof the said Testator was of a sound and perfect disposing mind memory and judgm't and also

that they saw James White sign with them as evidence to the same.

JACOB KOLLOCK Dp Reg"

Deeds. Georgetown. Liber G, folio 218:

Sep. 6, 1737. Sarah Draper, of Sussex Co., widow, daughter of John Kipshaven the Younger and granddaughter of John Kipshaven the Elder, dec'd., in consideration of a sum paid by Hannah Jacobs, widow of John Jacobs, dec'd., and by Albert Jacobs, which John and Albert Jacobs are grandsons of the said John Kipshaven, the elder, dec'd., as well as devisees under his will, conveys to the children of the aforesaid John Jacobs and Albert Jacobs, all her interest in the lands of her father and grandfather, the said John Kipshaven, the Younger, and John Kipshaven, the Elder.

Sarah, the widow of Henry Draper, died in the interim of the dates of her will and its probate, Aug. 29, 1743, and Sep. 15, 1743. The will is recorded at Georgetown in Liber A, folio 378, as follows :

"In The Name of God Amen: I Sarah Draper of the County of Sussex upon Delaware widow being this Twenty ninth day of August in the year of our Lord one thousand Seven hundred forty three very sick of body but of sound and perfect sense and memory Thanks be given to Almighty God therefor and calling to mind the uncertainty of this Transitory life and that all flesh must yeald to death whensover it shall please God to call do therefore make this my last Will and Testament in manner and form following that is to say: principally and first of all I bequeath my Soul unto Almighty God that gave it hoping thro' the merrits of Jesus Christ my Saviour to receive full remission for all my Sins past and my body I recommend unto the Earth to be buried in such decent and Christian burial as my Executors hereafter named shall see cause to appoint and as touching such worldly estate wherewith it hath pleased God to bless me I give and dispose of as follows viz,

*First I will and desire that all my just debts and duties I owe in right and conscience to any person or persons together with my funeral charges be well and truly paid and discharged as soon after my decease as possible may be.*

*Item I give and bequeath unto my grandson John Draper my son Henry's son the sum of Twenty Six Pounds curr<sup>tt</sup> money of America and One Silver Spoon after the decease of his said father to him his heirs and assigns forever but my desire meaning and will herein is that his said father shall have the use of the said sum of money during his own natural life.*

*Item I give and bequeath unto my grandson Henry Draper my son Isaac's son one negro boy called Frank to him his heirs and assigns forever after the decease of his said father and my desire and meaning herein that his said father shall have the use of the said negro during his own naturall life and one Silver Spoon as soon as possible to Isaacs's daughter Molly her heirs &c.*

*Item I give and bequeath unto my grandson Henry Draper my son Avery's Son one negro boy named Mingo to him his heirs and assigns forever immediately after the decease of his said father and my will and meaning herein is that my son Avery shall enjoy the profits and use of said negro during his own natural life and Six Silver Spoons I give unto my last named grandson his heirs and assigns forever to be delivered at the age of twenty one years.*

*Item I give unto Tho<sup>s</sup> Davis and my daughter Sarah his wife their two sons Isaac and Henry one negro Girl named Sabe their heirs and assigns forever only my will and meaning is that my said son in law Thomas Davis and Sarah his wife shall enjoy the profitts and use of the said negro during their own natural lives and shall pay unto my daughter Betty May Jonathan May's wife the sum of Six Pounds curr<sup>tt</sup> money of America.*

*Item I give and bequeath unto my grandson John May*

son of my daughter Betty May one negro Girl named Jenny with all her increase to him his heirs and assigns forever after the decease of his said mother only my will herein is that my said daughter Betty his mother shall enjoy the profits of said negro during her natural life.

*Item I give and bequeath unto my daughter Rebeckah Cirwithin late wife of Caleb Cirwithin of this County her seven Children two negro Girls called Cloe and Rachell with their increase to be equally divided amongst them all when the youngest comes to the age of sixteen years and my will that my son Avery shall have the keeping of the said two negroes and when the two oldest of said grandchildren last mentioned shall happen to marry and desire to have the keeping of the said two negro girls last mentioned until the time appointed for the dividing of them and their increase they have here by this Will and Testament liberty to take giving Security for to make them good and fourth coming unto afores<sup>d</sup> keeper of them at the time appointed.*

*Item I give and bequeath unto my said Three Sons viz Henry Draper the sum of Ten Shillings current money of this Government to Isaac Draper the Ox Carts that are on the plantation and to my Third Son Avery Draper the sum of Ten Shillings like current money as aforesaid to them their heirs and assigns forever.*

*Item I give unto my daughter Sarah Davis one black walnut Table and to my daughter Betty May a Chest of drawers and white oval Table and small Trunk and I give to my daughter Rebeckah Cirwithin's children the sum of Two Pounds like currency to be equally divided amongst them.*

*Item I give and bequeath all rights Titles and Interest of whatsoever Lands and Tenaments I have or may have in this County or elsewhere to be equally divided amongst my children viz, Henry Draper Isaac Draper Avery Draper Sarah Davis and Betty May and the children of my daugh-*

ter Rebeckah Cirwithin being esteemed as one of the six to them their heirs and afsigns forever.

*Item* All the rest and residue of my personal Estate yet remaining unbequeathed I hereby desire may be equally divided amongst my children viz, Sarah Davis Betty May and my daughter Rebeckah Cirwithin's children to them their heirs and afsigns forever only I desire that the negro wench Sydney and her child may be sold to pay my son Henry his Legacie and my other just debts my son Avery Draper must have the keeping of Rebeckah's children's part.

*Item* I will and desire that this only and no other be taken for my last Will and Testament and I hereby nominate and appoint my sons Henry Draper Isaac Draper Avery Draper Thomas Davis and Jonathan May be taken and no others for Executors of this my last Will and Testament ratifying allowing and holding for firm and effectual this and no other to be my last Will and Testament.

In Witness Whereof I have hereunto set my hand and Seal the day and year first within written.

Signed Sealed published pronounced and declared by the said Sarah Draper as her last Will and Testament in presence of us the subscribers

JAS WHITE. DAVID <sup>his</sup> 2 MOOR. SUSANNA <sup>her</sup> ST TENANT.  
mark mark

Sussex fs<sup>t</sup> Memorand<sup>m</sup>

this 15<sup>th</sup> of September 1743 The above James White and David Moor Two of the witnesses to the within Will subscribing appeared before me Jacob Kollock Dp: Reg<sup>r</sup> appointed for the probate of Wills and granting Letters of Administration for the County of Sussex aforesaid and on their solemn oaths did declare that in their sight p'sence and hearing the Testator Sarah Draper did sign Seal publish pronounce and declare the within writing to be her last Will and Testament and that at the doing thereof the said

Testatrix was of a sound and perfect disposing mind memory and judgment and also that they saw Susanna Tenant sign with them as an evidence to the same.

Test JACOB KOLLOCK D. R."

Henry Draper and Sarah Kipshaven, his wife, had issue:

12. Henry, m. ——. Issue:

12<sup>a</sup>. John.

13. Isaac, m. ——. Issue:

13<sup>a</sup>. Henry.

14. Avery, m. ——. Issue:

14<sup>a</sup>. Henry.

15. Rebecca, m. Caleb Cirwithin. Issue: seven children.

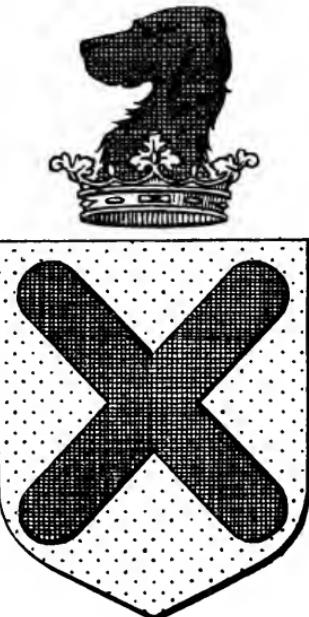
16. Sarah, m. Thomas Davis. See Davis Family for descendants.

17. Elizabeth, m. Jonathan May. Issue:

17<sup>a</sup>. John.

## Kipshaven

I. 1. JOHN KIPSHAVEN, the only settler of the name known to have come to this country, was of a Westphalian family. The arms are described by Rietstap as follows: "*Kipshaven. Westphalie. D'or au saut. alésé de sa., les extrémités arrondies. Cq. cour. C.: une tête et col de chien braque de sa. (Arm. v. G.).*" In the preface of "Rietstap" explanation is made that "Arm. v. G." refers to the armorial compilations of Jean van Gendt and his son Gerlach van Gendt. Jean van Gendt was born May 30, 1609, and died Dec. 4, 1688; the son was born 1640 and died June 5, 1735. The title of their work is "Wapen-Boeck ten deele vergadert door Johan van Gendt en nu verder volmaakt door sijn soon Gerlach van Gendt." John Kipshaven was born the early part of the seventeenth century. The first reference to him in this country is quoted in Scharf's "History of Delaware," page 1201, where he, his wife and daughter are enumerated in a Census List of the Whorekill, May 8, 1671. Scharf, page 1211, mentions that he was commissioned a Justice at the Whorekill Nov. 1674. He was recommissioned until 1685. The Court Docket of Sussex Co., in possession of the Penna. His. Soc., records the proceedings of the Court during his tenure.



Deeds recorded at Georgetown. Liber C, folio 209:

Jan. 14, 1675. Patent from Sir Edmund Andros to John Kipshaven. 69 acres at the Whorekill. Assigned by Kipshaven, Feb. 9, 1680, to Wm. Clark, who, Apr. 12, 1681, reassigned it to Capt. Nathaniel Walker.

Scharf, page 1211:

June 25, 1675. Recommissioned a Justice.

"York Records," Dover. Folio 65:

Mar. 8, 167 $\frac{1}{2}$ , return of survey for John Kipshaven and Peter Hanson, jointly, 413 acres called "Hopewell," on the West side of Delaware Bay and North side of Murder Creek.

Pa. Ar., Vol. XVI, page 326:

Oct. 8, 1678, recommissioned a Justice.

Deeds at Georgetown. Liber A, folio 103:

Oct. 1678. Conveyance by John Kipshaven to Francis Whitwell. 200 acres on the Northern side of Murder Creek.

Folio 335: 16 $\frac{7}{8}$ , the Court granted a patent from John Kirke to Alexander Molliston and John Kipshaven.

Liber B, folio 221:

Feb. 3, 168 $\frac{1}{2}$ . Conveyance by Anthony Enloes, of New Deal, to John Kipshaven.

Pa. Ar., Vol. XVI, page 338:

May 28, 1680. Recommissioned a Justice.

Deeds. Georgetown. Liber A, folio 6:

Feb. 14, 1681. The Court grants John Kipshaven 500 acres.

Liber A, folio 3:

1681. Acknowledgment in open Court by John Kipshaven and Bartree his wife to William Clark and by William Clark and Honor his wife to Nathaniel Walker. "Bartree" is no doubt a misspelling for "Breda," which appears to have been the Christian name of Kipshaven's wife.

Liber A, folio 2:

1681. The Court grants Kipshaven's petition for a warrant to survey the land he bought of Alexander Molliston, Robert and Antony Enloes.

Same folio :

1681. Kipshaven receives a grant from the Court of the "third town lot to the front from the land of Nathaniel Walker."

Liber B, folio 97 :

Feb. 1, 1681 $\frac{1}{2}$ . Conveyance by John Oakey, of Deal Co., to John Kipshaven and Alex. Molliston. 300 acres.

Liber A, folio 7 :

Feb. 14, 1681. Alexander Molliston and Robert Trayle acknowledge a conveyance to John Kipshaven of 300 acres in Kickout Neck. Kipshaven was present in Court as a Justice.

Liber A, folios 4 and 7 :

Same date. Antony Enloes acknowledges a conveyance to John Kipshaven of 100 acres in Kickout Neck.

Scharf, page 517 :

Oct. 25, 1682. Kipshaven recommissioned a Justice.

The Old Court Docket of Sussex Co., Del., in poss. of the Pa. His. Soc. :

Sep. 9, 1682. Kipshaven signs as a Justice an acknowledgment of allegiance to William Penn.

Deeds. Georgetown. Liber A, folio 13 :

Nov. 11, 1682. The Court grants to John Kipshaven the town lot adjoining that upon which he lives, upon condition that he build a dwelling house within a year.

Liber A, folio 107 :

Nov. 14, 1682. The Court grants Kipshaven the town lot between his and William Darvall's on condition that he build a dwelling house within a year.

The will of Edward Booth, recorded at Georgetown in the Register of Wills' Office, in Liber A, folio 1, and in the Recorder of Deeds' Office, in Liber A, folios 19 and 107, is dated Dec. 7, 1682. He is styled as "Edward Booth of Deal County." He bequeaths unto John Kipshaven's son John one half of his realty, providing the testator died without wife or issue; he bequeaths unto John Depree and his son Jacob Depree the other half of his real estate, but

if the said John Depree should die before his son Jacob came to age then Andrew Depree was to have his moiety of land until the said Jacob came to age. To John Kipshaven he gave the personalty then in his house; to John Wittman, a saw; to Elizabeth Wittman, two hens; to Martha Kipshaven, a saw; he orders a debt of 300 lbs. of tobacco to be paid M<sup>r</sup>. Avery for surveying his land; to William Emmatt, Jr., a saw.

Nov. 14, 1682. The will was probated by William Emmatt and Stephen Whitman and letters of admin. were granted to John Kipshaven and John Depree.

No relation is known between Edward Booth and the legatees.

Pa. Ar., Vol. XVI, page 376:

Dec. 25, 1682. John Kipshaven recommissioned a Justice.

"Votes and Proceedings of the House of Representatives of the Province of Pennsylvania. Printed by B. Franklin and D. Hall. 1752." Vol. I:

John Kipshaven is recorded in the proceedings as a Member from Sussex County at the sessions held at Phila., 1682-3; at New Castle, 1684; and at Phila., 1686.

The Old Court Docket of Sussex Co., in poss. of Pa. His. Soc.:

12, 4mo. 1683. Kipshaven present as a Justice.

11, 1, 1684. He is recommissioned a Justice. (Also Scharf, page 1211.)

Deeds at Georgetown. Liber A, folio 36:

Mar. 26, 1689. Bredah Kipshaven, by deed of gift, conveys 500 acres to Alburtus Jacobs.

This is the last reference to Breda Kipshaven; it is assumed she died shortly after.

Liber A, folio 84:

Dec. 5, 6, 1699. John Kipshaven, by petition, acquainted the Court that he had resolved to build a mill on the Beaver Dam lying between the lands of Edmond Dyre and Roger Corbett, provided the Court would grant him an order for

thirty acres of vacant land adjoining the said Beaver Dam, which the Court granted.

John Kipshaven died during the interim of the execution of his will and its probate, Jan. 14, 1700, and Jan. 25, 1700. The will is recorded at Georgetown in Liber A, folio 35:

“ Com. Sussex Pennsylvania.

In the Name of God Amen The Fourteenth day of January in the year of our Lord God one thousand Seven hundred I John Kipshaven being sick and weak in body but of sound and perfect memory (through mercy) and knowing the uncertainty of this life on earth and equally desirous to settle things in order doe make this my last Will and Testament in manner form following (That is to say) First and principally I commend my soul to Almighty God my Creator hoping and believing for full pardon and remission of all my sins through the previous death and merritts of my blessed Lord and Saviour and Redeemer Jesus Christ and my body I committ to the Earth from whence it came, to be decently buried in the Town burying Place next the Prison, with the Funeral Service to be read at the grave according to the Church of England, and as touching such worldly estate as it hath pleased God to lend mee my will and meaning is the same shall be Employed bestowed and disposed as is hereafter herein expressed and First I doe revoke renounce, frustate and make void all Wills by me formerly made and declare and appoint this and this only to be my last Will and Testament.

*Item* I give and bequeath unto my Grandchildren John and Albert Jacobs sons of Albertus Jacobs by my daughter Martha the one moyety and half part of all my estate both real and personall Lands Goods and Chattles whatsoever within the province of Pennsylvania and Counties annexed or elsewhere except hereafter excepted I say to them and the survivor of them, their heirs and assigns forever.

*Item* I give and bequeath unto my daughter Martha now wife of Adam Johnson the other moyety and half part of

my Lands in the said County of Sussex during her life and after her decease the same to descend unto my said two grandchildren John and Albert Jacobs and the survivor of them their heirs and assigns forever.

*Item* I give further to my said daughter Martha Johnson the other moyety and half part of my personall estate with reserve of what I shall hereafter dispose and order to be paid and delivered out of the same.

*Item* I give and bequeath unto my Granddaughter Bredah Jacobs Sister of the above said John and Albert Jacobs Twenty five Pounds this County money to bee paid unto her when she shall arrive to the full age of Eighteen years out of her said brothers abovesaid moyety.

*Item* I give and bequeath unto Sarah Kipshaven daughter of my son John Kipshaven Twenty five Pounds moneys as abovesaid to be paid her when she shall arrive att the age of Eighteen years out of the aforesaid moyety and half part of my personall estate that I have above bequeathed unto my said daughter Martha Johnson.

*Item* I give and bequeath unto my said two Grand Daughters Bredah Jacobs and Sarah Kipshaven all their deceased Grand Mothers Cloaths both Linnen and Woollen to be equally shared and devided between them.

*Item* I give and bequeath unto my brother Dirrick and his children all my Estate both real and personall that I have in Holland and Newbourough to them their heirs and assigns forever.

*Item* I give and bequeath unto Cornelius Pluckhoy the blind man Twenty Shillings.

*Item* I give and bequeath unto Simon Pawling Twenty Shillings.

*Item* I give and bequeath unto Peter Clause his Earkin liveing at Alexander Molestons Twenty Shillings.

*Item* I will that all my just and funeral charges be paid out of my said whole Estate as also the said Three last Legacies above written.

*Item* I Will that Adam Johnson husband of my aforesaid daughter Martha Johnson have no hand Interest or Trust directly nor indirectly in any matter or thing herein mentioned that concerns my aforesaid Grandchildren but the care and Trust of the same I doe wholly conf unto M<sup>r</sup> John Hill M<sup>r</sup> Samuel Preston and Mr Jacob Kollock whom I hereby ordain and appoint jointly and Severally to be Executors of this my last Will and Testament and Trustees therein to see the same performed according to the true intent and meaning thereof.

In Testimony of all which the premises I have hereunto  
sett my hand and fixed my seal on the day and year first  
written.

Sealed, Published and declared } JOHN KIPSHAVEN [SEAL]  
in presence of—IA: SANGSTER }  
HENRY      <sup>his</sup>      HILL      NEHEMIAH } Com. Sussex, In the Terri-  
FIELD                          tories of the Province of  
Pennsylvania The Twenty fifth day of January 1700. James  
Sangster and Nehemiah Field witnesses within subscribing  
personally appeared before us William Clark Thomas Fin-  
wick and Phillip Russell his Majesties Justices of the Peace  
for the said County and did make oath upon the Holy  
Evangelist of Almighty God that they saw John Kipshaven  
the Testator within named sign seal publish and declare  
the within written to be his last Will and Testament and  
that at the doing thereof he was of a sound disposing mind  
memory and judgment to the best of their knowledge and  
that they together with Henry Hill signed as evidences to  
the same as Witness our hands and Seal of the County on  
the day and year first above written

[SEAL] NEHEMIAH FIELD Clk W<sup>m</sup> CLARK  
THO: FINWICK }  
PHILLIP RUSSELL."

Honor, the second wife of John Kipshaven, having survived her husband, married Jonathan Sturges.

The Old Court Docket of Sussex County, in possession of the Penna. His. Soc. :

At a Court held Feb. 2, 1702, Jonathan Sturges and Honor, his wife, late widow of John Kipshaven, Sen., dec'd., produced an account against decedent's estate for six pounds sixteen shillings, and prayed judgment against the Executors of the said estate. Samuel Preston, one of the said Executors, appeared and acknowledged the claim, whereupon judgment was entered against John Hill, Samuel Preston and Jacob Kollock, Executors.

"At a County Court in Equity held at Lewes for the County of Sussex the sixth day of May An<sup>o</sup> Domi. 1703. Before William Clark, Thomas ffinwick and James Walker, Esq<sup>rs</sup> Justices of the said Court.

Memorandum at the same and before the same Court came Adam Johnson and Martha his wife and exhibit this Bill against John Hill, Samuel Preston and Jacob Kollock, Exec<sup>rs</sup> of the last will and testament of John Kipshaven, deceased, which Bill follows in these words :

The Worshipful the Justices of Sussex Co., sitting in Equity."

Adam Johnson and Martha his wife, daughter of John Kipshaven, dec'd., complained that the executors were delaying in settlement of the estate ; they also objected to Honor Kipshaven, the widow of John Kipshaven, receiving her dower as she and her husband were living apart at their death. The Executors filed an answer, denied the charge of delaying, etc., and admitted the widow was entitled to the dower. May 3, 1703, the Bill was withdrawn by agreement.

John Kipshaven, by his first wife Breda, had issue :

2. John.
3. Martha, m. first, Albertus Jacobs ; second, Adam Johnson. Issue by first marriage :
  - 3<sup>a</sup>. John.
  - 3<sup>b</sup>. Albert.
  - 3<sup>c</sup>. Bredah.

II. 2. JOHN KIPSHAVEN, son of John Kipshaven (1) and Breda, his wife, was born prior to his parents' arrival in this country; approximation suggests 1645–1655 as the date of his birth. He married Sarah, daughter of Capt. John and Sarah Avery. See "Account of Capt. John Avery, President Judge at the Whorekill and his Descendants, by Edwin Jaquett Sellers, Phila., 1898." The allusions in that work to John Kipshaven's will and the offices held by him are incorrect, as they apply to his father.

The "York Records" at Dover, folio 79:

At a Court held May 13, 1679, a certificate for John Kipshaven, Jr., was examined, for land already seated, and "left in custody of M<sup>r</sup> John Kipshaven who is bound for New York to procure a patent for the same."

The Old Court Docket of Sussex Co., in poss. of the Pa. His. Soc.:

At a Court for Sussex Co., held at Lewes, June 5 and 6, 1701, Sarah Clifton, widow, admx. of John Kipshaven, Junr., dec'd., recovered a verdict vs. John Hill, Samuel Preston and Jacob Kollock, Execrs. of John Kipshaven, Senr., dec'd.

John Kipshaven, Jr., was mentioned in the will of Edward Booth dated Dec. 7, 1682; he is omitted in his father's will dated Jan. 14, 1700; consequently, he died in the interim. His wife, evidently, died before him, as letters of Administration were granted to his mother-in-law, Sarah Clifton, widow of Capt. Avery, and Robert Clifton.

John Kipshaven, Jr., and Sarah, his wife, had issue:

4. Sarah, m. Henry Draper. See Draper Family for descendants.

## Stidham

I. 1. DR. TYMEN STIDHAM was born at "Hammell," according to his will, the early part of the seventeenth century; just where Hammell was has not been found, although it was probably in Sweden. Neither is it definitely known when he came to America, although it is quite likely that he accompanied Governor Rising, who sailed from Gottenburg February 2, 1654, reaching Fort Casimir, now New Castle, the 21st of the following May. Dr. Stidham acquired his knowledge of medicine before coming here.

When the Swedes were conquered by the Dutch, September, 1655, the articles of capitulation gave the Swedes who desired to leave one year and six weeks in which to dispose of their immovable property, subject, however, to the oath of allegiance. It was further provided that such of the Swedes or Finns who did not desire to go with Governor Rising, and remained voluntarily, should have the privileges of the Augsburg Confession and have a person to instruct them therein.

"Pennsylvania Archives," Sec. Ser., Vol. VII, p. 483:

"All and everyone who are inclined to take of their own free will the oath of allegiance in the hands of Mr. Petrus Stuyvesant, Director-General of New Netherland, and to live up to it, may remain as freemen at this South river of New Netherland and gain their livelihood as good and free inhabitants; on the other side, those who may have some scruples or conscientious fears regarding the oath of allegiance, may leave this province of New Netherland, after disposing of their private property to their best advantage and shall have free passage for their removal.

Follows the oath.

I, the undersigned, promise and swear in the presence of God, the All-knowing and Almighty that I will be loyal and faithful to the Noble High Mightinesses, the States-General of the United Netherlands and the Lords-Proprietors of the Incorporated West India Company, and their, the Masters' and Patroons' of this Province of New-Netherland, Director-General and Council, now appointed or to be appointed in future and not to do any act of hostility, sedition or intelligence in word or deed nor help to do it, but behave myself as an obedient and faithful subject, as long as I shall remain to live on the South river.

So help me God Almighty.

TIMEN STIDDEN

et al."

"Documents relating to the Colonial History of the State of New York," Vol. XII, page 133 :

"Minutes of the Administration of Jean Paul Jacquet, Vice-Director at the Delaware, and his Council," page 138 :

Jan. 4, 1656. "Appears Tymen Tiddens and asks for a recovery of some goods taken by Elias Emmens, Hendrick Serjackets and Peter Jansen for a debt, arising from labour and amounting to the sum of 70 florins; they had sold the same goods to Jan Schagge, viz :

5 pigs at 10 fl.	50
1 kettle	24
1 tin pan	8

The above named persons appearing, declare to have sold the abovementioned goods at their own risk.

Jan Schagen appears, being summoned by Tymen Tiddens, and declares, that he has bought the aforesaid things from the aforesaid soldiers and that, if he has to return the same, he demands recompensation for the feeding of the five pigs during the period of five weeks and the same costs 20 fl.

Appears Tymen Tiddens, and is ordered, that he come to

an agreement with Jan Schaggen and give an affidavit of the care of some soldiers, done by Smit's orders."

"Tymen Tiddens contra Ele Stirssen, demands twelve Holl. schepels of mais, for which he has delivered to him 25 lbs. of lead, Swedish weight.

Ele Stiers appearing declares, that he has promised him as payment three Holland schepels and the balance in Swedish schepels, with which he then was satisfied.

The parties were ordered to come to an agreement with each other and Ele promises to pay Tymen as first installment two Holl. schepels."

June 23, 1656. "Jacob Crabbe appears against Tymen Tiddens. The plaintiff demands payment of a certain account in the sum of 35 guilders 17 stivers.

Defendant answers that he has a counter claim.

The parties are ordered, first to make up their mutual accounts and if they could not agree, then to address themselves again to the Court."

Jan. 10, 1657. Tymen Stiddens, et al., subscribes to an agreement regulating trade with the Indians in the skins of certain animals. This is printed in full in "Jaquett Genealogy," page 66.

Page 362 ("Doc. His. of N. Y.", Vol. XII):

Letter from Governor Beeckman to Governor-General Stuyvesant, dated Altena, Feb. 20, 1662.

"The City's Surgeon Willem Rosenburgh has been discharged and therefore has given us warning on the 4<sup>th</sup> inst. I expect your Hon<sup>ble</sup> Worships' order whether I shall henceforth employ the City's Surgeon or Mr. Tyner Stodden, as both offer their services."

Page 422:

Altena Feb. 1, 1663. Beeckman to Stuyvesant.

"D'Hinojossa considers us still his mortal enemies, for when on the 18<sup>th</sup> of December Mr. Jacop, the City's Surgeon, stated in the meeting, that he desired to put in his place Mr. Timen Stidden, after he had before obtained per-

mission to put somebody in his place, d'Hinojossa nevertheless said to him 'Why do you present to us a man, who is Beeckman's friend, whom I consider our enemy, yes our mortal enemy.'"

Page 425 :

"Trial and sentence of banishment pronounced against Evert Hendricksen, a Fin, at Altena.

Present the Vice Dir. Wilh. Beeckman, Oloff Stille, Mats: Hansen, and Pitter Cock, Commissaries.	Extract from the Court Minutes, kept at Fort Altena, on the 7 <sup>th</sup> of April 1663.
---	---

Jurriaen Kyn, plaint., against  
Evert Hendrickson, the Fin, deft.

\*     \*     \*

"Mr. Tymen Stidden declares at the request of the witness, that he has at different times seen Evert the Fin before his, witness' door with great vexations, making much noise and trouble with his axe and he, affiant, offers to confirm it with his oath.

Mr. Tymen Stidden complains, that, when he was summoned by Jacob Swenson to bleed him and went there in his canoe, Evert the Fin saluted him so with stones, on leaving the Upland's kil that he was in danger in his canoe, at least of being wounded, he managed finally to get out of the kil however, but was thoroughly drenched by the splashing of the stones from the bank, without knowing the reasons, why."

Scharf's "History of Delaware," page 630 :

"The origin of the city (Wilmington) is to be found in the building of Fort Christina by the Swedish pioneers in 1638. Its site was within the present limits of Wilmington, on the South side of the creek, near 'The Rocks' and in the vicinity of Old Swedes' Church, around this fort, according to Governor Rising, fifteen or twenty houses were clustered when the Dutch captured the position in 1655. By them the name was changed to Fort Altena and a little

town laid out west of the fort under the direction of Governor Beekman, which was called Christianaham, and in 1661 lots were granted to settlers, among whom were Tyman Stidham. The lots were adjoining the fort and were thirty feet in breadth; double lots, sixty feet. The fort, which was nearly destroyed in the Dutch assault in 1655, was in 1658 repaired, and eight thousand brick were brought from Fort Orange (Albany, N. Y.) for that purpose, and a few men placed in charge. Christianaham at that time was next in importance to New Castle, at which place Vice-Director Beekman resided most of the time from 1658 to 1663, although New Castle belonged to the City of Amsterdam and Christianaham to the Dutch West India Company. In 1664 Fort Altena was captured by the English and permitted to go to ruin. The town of Christianaham ceased to exist and is not later mentioned."

Wilmington, Delaware. Deed Liber A, folio 18:

"Francis Lovelace Esqr., one of the Gentlemen of his Majesties Honr Privy Chamber and Governor-General under his Royal Highness James Duke of York and Albany & of all his Territories in America, To all to whom these presents shall come sendeth Greeting:

Whereas there is a certain parcell of land in Delaware River near unto New Castle now in the tenour and occupation of Tyman Stidham, as his proper right, Beginning at the Fall of the Brandywine Kill & Stretching in length to the Rattle Snake Kill, and in Breadth from the Rattle Snake Path in a like Breadth to his house, as also his meadow or valley upon the Hooke, from the Black Kath Kill to the Great Brandywine Kill, so along to Christiana Kill.

Now for a confirmation unto him, the said Tyman Stidham, in his possession & injointment of the premises, Know ye that by virtue of the authority and Commission unto me given by his Royal Highness I have ratifyed, Confirmed and granted and by these Presents doe ratifye Confirm and Grant unto Tymen Stidham, his heirs & assigns, the aforesaid re-

cited Parcel of Land and Premeses, Together with all & singular the appurtenances, to have & to hold the said Parcell of Land and Premises together with the meadow or vally upon the Hooke unto the said Tymen Stidham his heirs and assigns forever, yielding & paying yearly and every year as a quit rent unto his Majes<sup>t</sup> use one Bushell of winter [wheat] when it shall be demanded by such officer or officer in Authority as be impowered and establisht in Delaware River and Partes Adjacent to Command & receive the same.

Given under my Hand & Sealed with the Seale of the Province of Fort James in New Yorke the third day of May in the Twenty third Year of his Mag<sup>ts</sup> Regne Anno Domini 1671.

(Subscribd)

FRANCIS LOVELACE.

Recorded by order of y<sup>e</sup>

Governo<sup>r</sup>

MATHIAS NICHALLS, Scr."

It will be observed in the foregoing that the size of the tract is not expressed, and also that it is not an original patent, but merely confirmatory of land already in Dr. Tymen's possession.

Prothonotary's Office, Wilmington. Liber A, folio 102:

"Att a Court held in the Towne of New Castle on Delaware By his Maj<sup>ts</sup> Authority February the 4<sup>th</sup> & 5<sup>th</sup> Annoq. Dom. 167<sup>8</sup><sub>9</sub>

MR. JOHN MOLL

MR. PETER ALRICH<sup>S</sup>

P<sup>r</sup> Sent: MR. GERRET OTTO Justices.

MR. JOH. DE HAES

MR. ABRAM MAW

MR. WILL. SEMPILL

Tymen Stiddem preferring in Co<sup>r</sup>t a Peticon, Showing that heretofore that hee had purchazied from Moens Andriessen & Jacob Vander Veer a Certayne peece of Land, Lying on the North syde of Brandewyn Creeke Just above

ye Land Called ye smiths Land for w<sup>ch</sup> hee hath paid the Quit Rent and being desierous to have further Confirmacon thereof by Pattent from his hono<sup>r</sup> ye Governo<sup>r</sup> did therefore desire this worpp<sup>ll</sup> Courts order to the Surveigho<sup>r</sup> for to lay out the sd. Land being 100 Acres;

And hee the sd. Tymen Stiddem further Complayning to ye Co<sup>rt</sup> that Jacob Vander Veer had notw<sup>th</sup>standing hee was forwarned by him the sd. Tymen of Late Caused a Resurveig to bee made of his (?) land and in the sd. Resurveigh had Comprehended and Included this same Land of him ye Peticon<sup>r</sup> and that he dayly Cutts downe the timber thereof. The Co<sup>rt</sup> haveing examined the premises do think fitt before they proceed further therein that ye sd. Tymen Stiddem do bring att the next Court all his papers and evidences touching the sd. Land and that Jacob Vander Veer then also appeare for to vindicate himselfe as when the Co<sup>rt</sup> will proceed to a fynal determinacon therein and in the mean tyme Jacob Vander Veer is to forbear Cutting of Timber upon ye same Land."

Liber A, folio 110 :

" March ye 4<sup>th</sup> 167<sup>8</sup>.

Tymen Stiddem Plt.	{	In an action of ye case for a
Jacob Vanderveer D <sup>eft</sup> .		piece of Land in ye Brandewyn Creeke.

The Sherrife Returned his writt non Est Inventus."

Prothonotary's Office, Wilmington, Del., Liber A, folio 47:

" March ye 5<sup>th</sup> 167<sup>8</sup>.

Tymen Stiddem Plt.

Jacob Vander Veer Deft.

The Plt demands a Conveigance for a Certayn parcell of Land by him bought of ye deft in ye yeare 1667 Lying on boath sydes of ye Brandewyn Creeke.

The Deft Replies that hee hath sould to yee Plt. no other Land but what Lyeth on the South syde of the Brandewyn Creeke w<sup>ch</sup> the Plt now possesses.

The Debates of both partees being heard Itt is ordered that the Land w<sup>ch</sup> Mr. Tymen Stiddem had bought of Walraeven Jansen & Moens Andries That hee the P<sup>lt</sup> may Cause the Same to bee Surveyed and obtayne a Pattent for the Same."

Liber A, folio 114;  
"April ye 2<sup>d</sup> 1679.

Tymen Stiddem Plt.      Jacob Vanderveer Deft.      { In an action of the Case for  
Land in ye brandewyn  
Creeke.

The Sherrife for ye 2<sup>d</sup> tyme Returned his writ non Est Inventus."

Liber A, folio 116:  
"June 3<sup>d</sup> 1679.

Tymen Stiddem Plt,      Jacob V. Veer Deft.      { This case is Transferred to New  
Yorke according to his Excellency's the Governor's orders."

State Library, Albany, New York. Colonial Manuscripts.

Liber XXI, folios 21 and 41:

"The case of Tymen Stiddem declaring his right to 600 acres of Land lyeing on the North side of y<sup>e</sup> ffish Creeke at Brandewyns Creeke Just below the falls of the Sd Creeke.

That about 18 yeares Since Moens Andriessen & Walrawen Jansen obtained a grant & permission from the then Commander William Beeckman to take up the above s<sup>d</sup> Land, in w<sup>ch</sup> Land Moens Andriessen had two parts & Walrawen Jansen one parte & they planted it foure yeares. And then y<sup>e</sup> S<sup>d</sup> Moens Andriessen Sold his house & lott togather with his Shares of this Land to the said Tymen Stiddem & Walrawen Jansen sold his one Share unto Jacob Van der Veer, p. ut. Depos. of Walrawen Jansen & Moens Andriessen no. 12.

That since y<sup>e</sup> s<sup>d</sup> Jacob van der Veer Sould his house & lott att Cristena to s<sup>d</sup> Tymen Stiddem togather with this same land Soe that y<sup>e</sup> Said Land was baught by & belongs

to y<sup>e</sup> s<sup>d</sup> Tymen Stiddem, p. ut Walrewen's Depos. no. 1 & a note under Jacob Van der Veer's hand n<sup>o</sup>. 3.

That for the Space of fourteen yeares last past y<sup>e</sup> s<sup>d</sup> Land hath been accompted to belong to Tymen Stiddem & y<sup>t</sup> it is Called by his name & Walravens w<sup>ch</sup> is of Late taken in by Jacob Van der Veer in his resurveigh of his Island & y<sup>t</sup> 15 yeares past there was Corne Sowed on y<sup>e</sup> s<sup>d</sup> Land. Vide Depos. n<sup>o</sup>. 4.

To prove y<sup>e</sup> title of Moens Andriessen & Walrawen Jansen Vide Depos. N<sup>o</sup>. 5.

That y<sup>e</sup> 18th January 167<sup>8</sup>/<sub>9</sub> The S<sup>d</sup> Tymen payed 4 yeares Quitt Rents for the S<sup>d</sup> Land, p. ut. receipt of Eph. Herman N<sup>o</sup> 6.

That Jacob Van der Veer By his Resurvey of his Island Including the S<sup>d</sup> Land Caused y<sup>e</sup> S<sup>d</sup> Tymen to make his Addresse to y<sup>e</sup> Court att New Castle declareing his right att Large as by his Complaint N<sup>o</sup>. 7.

That the S<sup>d</sup> Court the 5th of March 167<sup>7</sup>/<sub>8</sub> did ord<sup>r</sup> y<sup>t</sup> the Land which S<sup>d</sup> Tymen has baught of Walraeven Jansen & Moens Andriessen he may Cause to be Surveyed & Obtaine a Pattent for the Same. Vide Ord<sup>r</sup>. of Court N<sup>o</sup>. 8.

The S<sup>d</sup> Tymen Stiddem's right being as afores<sup>d</sup> he humbly prayes the Same may be Confirmed to him by Pattent from the Hono<sup>ble</sup> Governo<sup>r</sup> w<sup>ch</sup> may free him from further trouble or Molesta<sup>c</sup>on.

[Endorsed]

The case of Tymen Stiddem."

Folio 72:

1. A dep: of Walraven Jansen that M<sup>r</sup> Beeckman as Command<sup>r</sup> at Del: granted to Mons Andriesen & him 300 morgen of land at the ffish Creeke neare Christina of w<sup>ch</sup> hee sold Timen Stidden & Walraven 1 pt w<sup>ch</sup> hee sold Jacob Van der Veere feeb. 25 167<sup>8</sup>/<sub>9</sub>.

2. A dep: of Moens Andriesen relating to the sale of the whole to M<sup>r</sup> Timen Andries Jan: 25 167<sup>7</sup>/<sub>8</sub>.

3. A bill of sale of Jacob Van der Veer's right to Timen

Stidden under both their hands. Its writte upon ill pap  
that sinks so not well to bee read. 1667 on the backside.

4. feb : 14 167 $\frac{1}{2}$  Hans Peterson & Jussa Poulsen dep : to prove the land to bee Mr Timens.

5. Mathias Mathysen de Vos dep : that hee was at first joyned with Moens Andriesen & Walraven in this land it being granted to him with them by the Dutch Comand<sup>r</sup> Mr Beeckman but that afterward changing his mind hee left them & hath severall times heard that Dr Timen Stidden was lawfully possesed of the whole. July 23. 167 $\frac{1}{2}$ .

6. Mr Ephr Harman's receipt of 4 bushells of wheat Quit Rent of Mr Timen Jan 18, 167 $\frac{1}{2}$ .

7. The last declara $\bar{c}$ on put into Co<sup>rt</sup>. by Tymen Stidden, relating the whole Case ; this was depending when the order came to stop proceedings. The Considera $\bar{c}$ on s<sup>d</sup> to bee given by Mr Tymen to Jacob Van der Veer for his house & Lott at Christina was 200f & [four ?] oxe hee sold his right to the land hee bought of Mr Walraven which the s<sup>d</sup> Jacob Van der Veere since claymes by vertue of a Resurvey by Mr Wharton by an order from C. Cantwell.

8. The former order of Co<sup>rt</sup>. in March 167 $\frac{1}{2}$  wherein Jacob Van der Veer is cast.

[Here follows no. 4 and endorsement for which see below ; lower is written :]

1. Jacob Van der Veer's patent from Gov. Lovelace for an Isl. & a piece of land neare it March 29 166 $\frac{1}{2}$  by vertue whereof hee claymes this land & denys ever to have sold to Tymen Stidden what hee hee bought of Walraven.

2. A draught of the Isl. & land adjacent by Mr Wharton resurveyed according to the patent Apr 7th 1676.

3. A pap signed by 5 psons for the pertenesse of Jac: Van der Veeres land & that if Mr Timen have this hee will bee undone, a rough sort of draught Sept<sup>r</sup> 15, 1679.

4. Walrawens transport to Jacob Van der Veer. Timen Stidden, is a witnesse.

[Endorsed]

The substance of Dr Tymens & Jacob Van der Veeres  
paps. w<sup>th</sup> were s<sup>d</sup> them back

For the Constable and oberseers of Southton

These At Southton."

Folio 93:

"I: underwritten William Sempill doe hereby declare that on y<sup>e</sup> 23 day of July Laest past one Mathias Mathiasz de Vos came to mee at my house in New Castle w<sup>th</sup> one deposition written as I suppose by M<sup>r</sup> Ephraim Herman or his Clerck Conserning some Land then in Controversy betweene M<sup>r</sup> Tymen Stidden and Jacob v: Veer, and y<sup>e</sup> s<sup>d</sup> Mathias desiering mee to give him his oath to y<sup>e</sup> same deposition I made answer that hee should Come att one other tyme because I supposed him then to bee In drinke but y<sup>e</sup> s<sup>d</sup> Mathias replyed that he was not in drinke and desiered mee to dispatch him—alledgeing if hee was not sworne at that tyme hee should bee forced to come againe and sweare att Court for M<sup>r</sup> Tymen would Subpene him & then hee should Loose more tyme & y<sup>e</sup> Lyke, upon w<sup>th</sup> I Lookeing over the deposition demanded of y<sup>e</sup> s<sup>d</sup> Mathias what hee could Sweare hee thereupon did to mee declare the ful Substance in Every perticular w<sup>th</sup> was in y<sup>e</sup> foresaid deposition written by w<sup>th</sup> I: finding that the s<sup>d</sup> Mathias was in his ful Senses, tought good to Read the deposition over to him & haveing done the same I demanded of him whether hee understood what was therein written & whether itt was the truth, and if hee could swear y<sup>e</sup> same. The s<sup>d</sup> Mathias Replyed Yes upon w<sup>th</sup> I gave him his oath to y<sup>e</sup> afores<sup>d</sup> deposition and did then also subscribe the same during all w<sup>th</sup> above s<sup>d</sup> Tyme M<sup>r</sup> Samuel Land stood by and heard all above . . . [mutilated] that M<sup>r</sup> Ephraim Herman was not to . . . knowledge Conserned neither did I heare the said Mathias make any the Least mention of him all w<sup>th</sup> I declare to bee the Truth and in Confirmacon whereof I have hereunto and to y<sup>e</sup> true Copy of y<sup>e</sup> aforementioned deposition here annex

set my hand att New Castle the 6th: day of Jannuary  
16<sup>79</sup><sub>80</sub>.

(was signed)

WILL: SEMPILL."

" Samuell Land Sub Sherrife of y<sup>e</sup> p<sup>r</sup>ecincts of New Castle declares that all what is mentioned in y<sup>e</sup> within written declaration is the whole Truth & nothing but the Truth and that hee was p<sup>r</sup>sonally p<sup>r</sup>sent when Mr: William Sempill Examined & administered the oath unto Mathias Mathias-sen de Vos; In Testimony whereof hee has hereunto Set his hand In New Castle this 9th: day of January 16<sup>79</sup><sub>80</sub>.

Examined by and sworne (Signed)  
before us y<sup>e</sup> day & yeare SAMUEL LAND.  
above written—

(signed)  
JN<sup>o</sup>: MOLL  
PIETER ALRICHES  
J: D'HAES"

" The deposition of Mathias Mathiasz De vos aged forty seven yeares or there aboutes Declares that the Dutch Commander William Beckman whilst he was Governor of Cris-tena did give and grant unto this Deponent togeather with Moens Andriesen and Walraven Johnson De vos a Certayne pece of Land Lyeing & being on the north syde of Brand-wyne or fish kill . . . togeather with the other twoo afores<sup>d</sup>: Paticipants did make a beginning and worke but this Deponant Changin his mynd resolved otherwayes and there-upon Left his s<sup>d</sup> Land to the afores<sup>d</sup> Moens Andriesen & Wallraven Johnson De vos and as y<sup>e</sup> Deponant has severall tymes heard sence, doctor Tymen Stidden Have Bought the s<sup>d</sup> Land and was Lawfully Possesed of the same and further sayeth not.

In witness whereof the Deponant have hereunto set his hand att new Castle In Dellowar River this 23 of Jully Anno Domini 1679.

Tis is y<sup>e</sup> true Copie of ye Deposition of Mathias Mathia-

sen De Vos Examined & sworn before me the day & Date above written. In wittnesse whereof I have hereunto set my hand att New Castle y<sup>e</sup> 6th day of January 16<sup>79</sup><sub>80</sub>.

(Was signed)

WILL: SEMPILL

These aforestanding three Testimonys are True Copyes of their originalls Examined & Compared by mee

J:D:HAES:

[Endorsed]

Some declaracons & deposiccons made at New Castle in Delaware about y<sup>e</sup> difference betweene M<sup>r</sup> Tymen Stiddem & Jacob Van der veere 16<sup>79</sup><sub>80</sub>."

Folio 94:

"The Deposition of Mathias :

Mathiasen de Vos aged forty seven yeares or thereabouts Declares that the Dutch Commander William Beckman whilst he was Governor of Cristena did give and grant unto this deponant togeather with Moens Andrisen and Wallraven Johnson De vos a Certayne Peice of Land Lyeing & being on the north syde of Brandawyne or fish kill In Cristena Afores<sup>d</sup> upon which sd Land this deponant to geather with y<sup>e</sup> other twoo aforesaid Paticipants did make a beginning and work but this deponant Changing his minde resolved otherways and thereupon left the s<sup>d</sup> Land to the aforesaid Moens Andriesen & Wallraven Johnson de vos and as the Deponant has severall tymes heard sence doctor tymen Stiddam have bought y<sup>e</sup> said Land And was Lawfully Posesed of y<sup>e</sup> same & further sayeth not. In wittness whereof the Deponant have hereunto sett his hand att New Castle In Delowar River this 23 of July anno Domini 1679

(was signed)

MATHIAS MATHIASZ DE vos

Examined & sworn before Mee In New Castle the date above written

(Was signed)

WILL: SEMPILL

This 9th day of January an<sup>o</sup>: 16<sup>79</sup>/<sub>80</sub> apeared before us Mathias Mathiasen de Vos and has taken his Possetive Oath that all what is mentioned In y<sup>e</sup> within written Deposistion is the whole treuth and nothing but the truth and that there is nor was no other deposition written by M<sup>r</sup> Epharim Herman or any Clerck of his for him Concerning the prims-  
ses or any Part thereof as allso that he Came upon his own accord and was verry Earnest with the sd Herman to write by himselfe or his Clerck y<sup>e</sup> said Deposition for him much Less that he should have In the Least Degree In [du]ced him or perswaded or forced him unto y<sup>e</sup> swearing of any word or words Mentioned In the s<sup>d</sup> Depositiion and that all what he has Declared In and abouthe the same was upon the request of Timen Stiddem. In testimony whereof the Deponant has put hereunto his hand In new Castle y<sup>e</sup> day & yeare above written

(Was signed)

MATHIAS MATHIASZ d'Vos

Examined by and sworne before us at the same tyme & wryting of the above written deposition

(Was signed)

JOHN MOLL

PIETER ALRICHES

JOH: D'HAES

WILL: SEMPILL

This above standing together w<sup>th</sup> y<sup>e</sup> w<sup>th</sup>in written deposition are both True Copies of the originals Examined & Compared by mee

J: D:HAES:

[Endorsed]

Other deposicons relating to m<sup>r</sup>: Tymer Steddam & Jacob Vander Veere."

Prothonotary's Office, Wilmington, Del. Liber A, folio 56:

At a court held May 7 and 8, 1678, M<sup>r</sup> Tymen Stiddem receives liberty to take up 100 acres.

Scharf's "His. of Del.", page 153:

List of taxables of New Castle County returned by Captain Cantwell, High Sheriff, March 25, 1678.

*Inter alios,* "Tymen Stiddam and 4 sons."

"All persons between the ages of sixteen and sixty were made liable to taxation."

According to this it would seem that Dr. Stidham must have married prior to coming here, and that some of his children were born in Sweden.

Scharf's "His. of Del.", page 612, and Liber A, folio 285, Prothonotary's Office, Wil., Del.:

"At a court held at New Castle on the 21st and 22d of February, 1683, at which Penn was present, the following form of naturalization was adopted, and the names of those appended are the Swedes and Dutch who took the oath of allegiance to the new government.

'The Proprietor was pleased to state ye following forme for those as wanted naturalization, according to act of assembly, passed at Chester (als Upland).

I, A. B., doe solemnly promise to keep faith and allegiance to ye King of England & his heirs and successors, fidelity and Lawful obedience to William Penn, Proprietary and Governor of the Province of Pensilvania and its Territories, and to his heirs and successors, according to ye Lawe of Naturalization, passed in Assembly in ye month of December Laestt att Chester (als Upland), in ye province aforesaid.'

Followeth the names of those who desired to be naturalized in Court:

Dr. Tymen Stidden, *et al.*"

Liber A, folio 368:

List of Taxables returned 168 $\frac{4}{5}$ . "Timen Stidham, of Christina Creeke, 250 acres."

Dr. Stidham married twice. His first wife's name is unknown ; his second wife, according to his will, was "Christina Oels' daughter," whose name was Christina. The chil-

dren appear to have been by the first marriage, as the second wife is referred to by the children in various records as their "mother-in-law," a term, at that period, frequently applied to a step-mother. Dr. Stidham died in the interim of the dates of the execution and probate of his will, Feb. 1, and Apr. 24, 1686.

His will is recorded at Wilmington in Liber A, folio 73 :  
" To all to whom these Presents shall come Greeting : Know ye y<sup>t</sup> Lucas Stiddem & Erasmus Stiddem have duly & legally proved in this office a certain will called y<sup>e</sup> last Will & Testament of Timon Stiddem, their late father deceased, the tenor whereof followeth :

Praised be God forever.

In ye name of God, Amen. In ye year of our Lord & Saviour Jesus Christ 1686 appeared before y<sup>e</sup> underwritten witnesses Mr. Timon Stiddem born at Hammell inhabitant in Christina Creek who being sick in body but of full & perfect sound & understanding as outwardly appeared to us, & he conseedering y<sup>e</sup> fraylty of this mortal life y<sup>e</sup> certainty of death & ye uncertain hour thereof and being unwilling to depart this world untill he should first have disposed of what temporal estate & goods [God] has been pleased to bestow on him Therefore y<sup>e</sup> sd Testator doth first of all committ his soul into ye hands of God y<sup>t</sup> gave it him and his body after his decease a decent buriall & as for y<sup>e</sup> disposal of his temporall estate First I wil y<sup>t</sup> my wife Christina Oels daughter shall have & receive one part or share equall w<sup>th</sup> my children of all loose & mouvable goods mouvable and immouvable present & to come. And as to y<sup>e</sup> land & its appurtenances y<sup>e</sup> same shall be by my children equally shared or injoyed except my daughter Ingober Stiddem who shall have for her part or share thereof one young steer & one cow. This Will & Testament being word by word read to ye testator he approved thereof & desired y<sup>t</sup> this might be held & reputed as his last will & testament might be held good & allowed of & in testimony of y<sup>e</sup> truth

hereof I have hereunto sett my hand in usuall form on ye  
1<sup>st</sup> day of february 1686 in ye 1<sup>st</sup> year of y<sup>e</sup> Reign of our  
Souaraign Lord King James y<sup>e</sup> 2<sup>nd</sup> in ye presence of Hen-  
drick Commens.

(Was signed)

TIMON STIDDEM

Witnesses Present

HENDRICK COMMENS

CARROLL X JANSEN

his marke

A true translation EPH. HERMAN

Whereas Lucas Stiddem and Erasmus Stiddem the sons  
of Timon Stiddem deceased have exhibited into y<sup>e</sup> office of  
Probat of Wills & Granting Letters of Administration for  
y<sup>e</sup> County of New Castle an Inventory of y<sup>e</sup> Estate of y<sup>e</sup>  
sd. Timon Stiddem deceased and given security to admin-  
ister according to law These are therefore by y<sup>e</sup> King's  
authority & in y<sup>e</sup> name of y<sup>e</sup> Proprietary & Gouvernor to  
authorize & impower y<sup>e</sup> sd Lucas Stiddem and Erasmus  
Stiddem to administer upon y<sup>e</sup> estate goods & chattels  
debts & other effects whatsoever belonging to the sd Timon  
Stiddem their late father deceased or to him in any ways  
appertaining hereby giving & granting to y<sup>e</sup> sd Lucas Stid-  
dem & Erasmus Stiddem full power to enter upon & take  
possession of all y<sup>e</sup> estate real & personal whatsoever late be-  
longing to their sd deceased father and to sue for recover  
& obtain y<sup>e</sup> same out of y<sup>e</sup> lands of any person or persons  
whatsoever that is owing unto or hath ought in custody of  
or belonging to y<sup>e</sup> sd Timon Stiddem deceased and there-  
with to satisfy all his just debts and according to law to pay  
all legacyes and to allot to his late wife Christina & y<sup>e</sup> chil-  
dren their several shares & parts by y<sup>e</sup> law is directed & fur-  
ther to do execute and perform such other lawful act or  
acts thing or things in and about y<sup>e</sup> premises as fully &  
amply to all intents & purposes as any other administrator  
by y<sup>e</sup> Laws of this Province of Pensilvania & Territorys  
may can or ought to do. Given under my hand & y<sup>e</sup> seale

of y<sup>e</sup> office this 24<sup>th</sup> of April, 1686. Signed by John White,  
Dep<sup>t</sup> Register by order of James Bradshaw, Register Gen<sup>ll</sup>."

It is not known how long Dr. Stidham's widow survived him.

Prothonotary's Office, Wilmington, Del., Liber A, folio 394:

"At Court held at New Castle, Mar. 18, 1685.

Upon the petition of Christina Stiddem, ye widow of Doctor Stiddem, concerning her late husband's estate.

The Court do order that after the payment of the deceased husband's debts the petitioner shall have one third of her husband's estate, both real and personal, ye real estate only to revert back to the heirs of Timen Stiddem after petitioner's decease, according to law."

The following deed, recorded at Wilmington in Liber Q, folio 454, gives the names of Dr. Stidham's children:

"This Indenture made this sixteenth day of the eighth month called October Anno Domini one thousand seven hundred & fifty Between Peter Stidham of the Hundred of New Castle in the County of New Castle upon Delaware, yeoman, and Isabella his wife, and Jonas Stidham of the said Hundred of New Castle, yeoman, and John Jaquet of the said Hundred of New Castle, yeoman, and Christiana his wife, and John Walraven of the Hundred of Christiana in the said County, yeoman, and Sarah his wife, and Alexander Porter of the said Hundred of New Castle and Elizabeth his wife and Ingeborg Stidham of the said Hundred of New Castle, spinster, and Joseph Scull of the City of Philadelphia, yeoman, and Mary his wife on the one part, and Peter Sedgefrederick Aldricks of the Hundred and County of New Castle, aforesaid, yeoman, on the other part.

Whereas by virtue of a patent from Francis Lovelace, late Governor of York, dated the 3<sup>d</sup> day of May, 1671, one Dr. Tymen Stidham became lawfully seized of a certain tract of land and marsh situate in the said County of New Castle. Whereas the said Dr. Tymen Stidham by his last will and

testament in writing dated the 1<sup>st</sup> of February, 1686, devised in these words, viz: and as to the land with its appurtenances the same shall be my children's equally shared and enjoyed except my daughter Ingeborg, who shall have for her share one young steer and one cow, and afterwards died so seized leaving to survive him nine children, viz, Lulofe, Lucas, Ashmund, Adam, Benjamin, Elizabeth, Mary, Magdalene and Ingeborg, and Whereas, his son Luloffe being so seized of the undivided one eighth part of the said land by his last will and testament in writing dated the 1<sup>st</sup> of May, 1704, devised the said share to his two sons Timothy and Luloffe to be equally shared between them, and

Whereas the last mentioned Luloffe Stidham by his deed dated the 8<sup>th</sup> day of May, 1725, . . . granted all his said share to his brother Timothy Stidham . . . and

Whereas Martin Kneelson and Mary his wife, daughter of the said Dr. Tymen Stidham by their deed dated the 1<sup>st</sup> of August, 1717, . . . granted all the said Mary's share . . . unto the said Timothy Stidham . . . and

Whereas Peter Anderson and Magdalene his wife, another daughter of the said Dr Tymen Stidham by their deed dated the 10<sup>th</sup> day of August, 1721, and recorded at New Castle in Book G, page 277, . . . granted the said Magdalene's share . . . unto the said Timothy Stidham . . . and

Whereas Lucas Stidham, another son of the said Dr Tymen Stidham, having purchased of his sister Elizabeth (above named) all her share of the said lands, by his deed dated the 3<sup>rd</sup> of August, 1717, . . . granted the said purchased share unto the said Timothy Stidham . . . and by another deed of the said 3<sup>rd</sup> of August, 1717, . . . granted all that his own share of the said land unto the said Timothy Stidham . . . By all which the said Timothy Stidham became rightfully seized of the undivided five shares of the said land, and

Whereas by an agreement between the said Timothy

Stidham and Erasmus Stidham, son of the aforementioned Ashmund Stidham, possessor of the other three shares the said tract of land and marsh was divided by due metes and bounds as by one Indenture of Release under the hands and seals of the said Erasmus Stidham and Christiana his wife and dated the 26<sup>th</sup> of April, 1738, and recorded in the Rolls Office in Book M, page 27, may appear, and

Whereas, the several daughters of the said Ashmund Stidham or their heirs-at-law by their several indentures of Release, released unto the said Timothy Stidham . . . the said five shares of land according to the said division, and

Whereas the said Timothy Stidham and Elizabeth his wife by their indenture of the 27<sup>th</sup> of December, 1727, . . . granted twenty acres and a half of the said land unto Samuel Kirk . . . as by the said indenture recorded at New Castle in Book H, page 234, may appear, and

Whereas the said Samuel Kirk and Alice his wife by their indenture of the 1<sup>st</sup> of May, 1729, and recorded at New Castle in Book J, page 83, for the consideration of one hundred and eighty pounds, granted the said twenty acres and a half of land with the mills and appurtenance unto John Richardson . . . Notwithstanding which by a certain Defeasance dated the said 1<sup>st</sup> of May, 1729, the said land and mills remained in the possession of the said Samuel Kirk, and

Whereas, the said Samuel Kirk by his Articles of Agreement dated the 27<sup>th</sup> of May, 1734, granted the said land and mills unto John Seeds who was in possession thereof and who paid unto the said John Richardson part of the said £180 with the interest leaving one hundred pounds thereof unpaid and afterwards sold the said lands and mills unto Samuel Scott . . . as by certain Articles of Agreement dated the 4<sup>th</sup> of January and 21<sup>st</sup> of March, 1736-7, may appear, the said Samuel Scott afterwards paying the said John Richardson all and every the said sum of one hundred pounds, and

Whereas afterwards the said Samuel Kirk by his assignment on the above mentioned Defeasance endorsed, assigned over the same to the said Samuel Scott . . . and

Whereas afterwards in pursuance of the said several agreements the said John Richardson by his indenture dated the 10<sup>th</sup> day of June, 1738, released the said twenty acres and a half . . . unto the said Samuel Scott . . . and

Whereas the said Samuel Scott being so seized laid out a certain part of the said land for the particular use of the said mills and thenceforward to be called the mills land lying and being in the Borough of Wilmington . . . containing in estimation two acres and fifty perches, and

Whereas the said Samuel Scott and Ann his wife by their indenture of the 10<sup>th</sup> of January, 1739–40, . . . granted unto Thomas West . . . the undivided fourth part of the said mills and mills land, and

Whereas the said Thomas West died intestate leaving to survive him six children, Thomas, William, Joseph, Rachel, Eleanor and Elizabeth, and

Whereas afterwards the last recited Thomas West and Susannah his wife and William West and Mary his wife, and John Stapler and Rachel his wife (daughter of the said Thomas West) and James Robinson and Eleanor his wife (daughter of the said Thomas West) and the said Joseph West and Elizabeth West by their indenture dated the 18<sup>th</sup> day of May, 1745, . . . granted all and singular the said quarter part of mills and mills land unto Lucas Stidham . . . and

Whereas the said Samuel Scott and Ann his wife by their indenture dated the 4<sup>th</sup> day of June, 1743, and recorded in the Rolls Office at New Castle in Book O, page 101, . . . granted another undivided one fourth part of the said mills and mill lands unto the said Lucas Stidham . . . by all of which the said Lucas Stidham became seized of the one half part of the said mills and mill land and being so seized died intestate and leaving to survive him eight children, viz,

Peter and Jonas, and Christiana (intermarried with John Jaquett) and Susanna, intermarried with Peter Sedgefrederick Aldricks, and Mary intermarried with Joseph Scull, and Sarah intermarried with John Walraven, and Elizabeth intermarried with Alexander Porter, and Ingeborg Stidham . . . .

Now this Indenture witnesseth that the said Peter Stidham and Isabella his wife and Jonas Stidham and John Jaquet and Christiana his wife and John Walraven and Sarah his wife, and Alexander Porter and Elizabeth his wife and Ingeborg Stidham, and Joseph Scull and Mary his wife . . . have granted unto the said Peter Sedgefrederick Alricks . . . the said recited undivided one half part called the Mill Lands . . . containing by estimation two acres and fifty perches . . . ."

Dr. Stidham provides only for his children; he makes no provisions for a deceased child's issue. It would seem, however, that Dr. Stidham had a son Timothy, who died during his father's life, according to the following reference:

Wilmington, Del., Will Liber B, folio 75 :

Mar. 13, 1698. Probate of nuncupative will of Christiana Stidham, widow of Timothy Stidham, of Brandywine Creek. Administration was granted to Jonas Walraven. The will was made Jan. 24, 169 $\frac{2}{3}$ . She mentioned sons Gilbert, Jonas, and daus. Mary and Christiana.

Dr. Stidham's surgical case, inscribed with his name and title, is in possession of a descendant, George A. Elliott, of Wilmington, Delaware.

Dr. Stidham, apparently by his first marriage, had issue :

2. Timothy.
3. Erasmus, who probated his father's will.
4. Luloffe.
5. Lucas.
6. Ashmund.
7. Adam.
8. Benjamin.

9. Elizabeth.
10. Mary.
11. Magdalene.
12. Ingeborg, m. Peter, son of Jean Paul Jaquett, Governor of Delaware. For descendants, see "Genealogy of the Jaquett Family, by Edwin Jaquett Sellers, Philadelphia, 1896." Although Ingeborg is mentioned last, it is unknown whether she was the youngest child.

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